



# **School Attendance Review Boards Handbook**

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## **Operations and Resources**

California Department of Education  
Sacramento, 2002

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**Operations and  
Resources**



## Publishing Information

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*School Attendance Review Boards Handbook* was developed by David Kopperud, Consultant, Counseling and Student Support Services Office, working with Mary Tobias Weaver, Director, Education Support Services Division, California Department of Education. See Acknowledgments on page vi for the names of others who participated in the development of the document.

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## Notice

The guidance in this handbook is not binding on local educational agencies or other entities. Except for the statutes, regulations, and court decisions that are referenced herein, the document is exemplary, and compliance with it is not mandatory. (See *Education Code* Section 33308.5.)



Prepared for publication  
by CSEA members.

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## PREFACE

California compulsory education law requires everyone between six and eighteen years of age to attend school, except sixteen- and seventeen-year-olds who have graduated from high school or passed the *California High School Proficiency Examination (CHSPE)* and obtained parental permission to leave school. Some students, however, violate compulsory education laws and show a pattern of unexcused absences. Although truancy and excessive absenteeism are not new problems, they cause costly long-term problems to the students, the school, and the community.

In 1974 the Legislature enacted a statute to enhance the enforcement of compulsory education laws and to divert students with school-attendance or behavior problems from the juvenile justice system until all available resources have been exhausted. This statute created School Attendance Review Boards (SARBs), composed of representatives from various youth-serving agencies, to help truant or recalcitrant students and their parents or guardians solve school-attendance and behavior problems through the use of available school and community resources. Although the goal of SARB is to keep students in school and provide them with a meaningful educational experience, SARB does have the power, when necessary, to refer students and their parents or guardians to the courts.

State SARB members developed this handbook to help county and local SARBs in identifying attendance problems as they arise and handling those problems promptly. The handbook provides information on establishing a SARB; identifies behavioral patterns of problem students; gives helpful hints on how to work with students and their parents or guardians; suggests bylaws and standing rules; identifies effective factors for parent and pupil conferences; lists California compulsory attendance and other related laws; and provides sample letters and forms to petition the Probation Department, Office of the District Attorney, and the courts.

The statutes explained in this handbook include relevant California laws pertaining to SARB operations and school attendance. They were gathered and selected from the following California codes:

- *Education Code (Ed. Code)*
- *Evidence Code (Evid. Code)*
- *Government Code (Govt. Code)*
- *Welfare and Institutions Code (Welf. & Inst. Code)*
- *Vehicle Code*

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**Shirley Abrams**, Los Angeles County Office of Education, State SARB Facilitator

**Lois Baer**, Santa Clara County District Attorney's Office, State SARB Member

**David Kopperud**, California Department of Education, Counseling and Student Support Services Office, Acting State SARB Chairperson

**Karen Lowrey**, California Department of Education, Counseling and Student Support Services Office

**Victor Thompson**, Paramount Unified School District

**Mary Tobias Weaver**, California Department of Education, Education Support Systems Division

This revision of the *School Attendance Review Boards Handbook* would not be possible without the work of those who contributed to the previous edition and the contributions of all current members of the California State School Attendance Review Board. The dedicated effort of this group continues to build a strong foundation for the work of providing interventions to students in high-risk situations:

**Gil Awalt**, California State Juvenile Officers Association

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**Arlene Shea**, Office of the Attorney General, Crime and Violence Prevention Center

## THE WHY, WHO, WHEN, AND HOW OF SARB

School Attendance Review Boards (SARBs) were created by statute in 1974 and became operative in 1975. In establishing SARBs, the Legislature intended to develop new ways of coordinating school, community, and home efforts to deal with student attendance and behavior problems. SARBs—created at the county office of education or school district level or both—maximize the use of all available resources and services, avoid unnecessary duplication of resources to resolve attendance and behavior problems, and divert from the juvenile justice system students with school-related problems. References to SARB can be found in *Education Code* sections 48320 et seq.

Local SARBs are composed of parents, representatives from the school district, and members of the community at large, including representatives from law enforcement, welfare, probation, mental health, various youth service agencies, and the district attorney's office (SARB membership is identified in statute, *Ed. Code* § 48321). The members meet regularly to combine their expertise and resources on behalf of the students referred to them. Members work collaboratively to diagnose the problem and recommend alternative solutions to alleviate circumstances that contribute to specific truancy, attendance, or behavior problems.

Students are referred to SARB if they have persistent attendance and behavior problems in school and when the normal avenues of classroom, school, and district counseling do not resolve the situation. When SARB members meet with referred students and their parents or guardians, the members' goal is to identify a solution or appropriate resources for resolving the students' problems. School districts have a variety of options available for referrals, including home or hospital instruction, independent study, and school transfers. Other frequently used solutions include the following:

1. Recommending changes in the student's program
2. Arranging for changes in teachers' assignments
3. Assisting students in securing employment
4. Directing the student and/or family to counseling services
5. Facilitating the parent's or guardian's participation in parenting classes
6. Requesting assistance from other agencies and programs
7. Arranging for tutoring





**SARB members meet regularly to combine their expertise and resources on behalf of the students referred to them.**

8. Coordinating assistance from volunteers and other agencies to help students and parents follow SARB directives

If parents refuse to respond to SARB directives, the school district must gather documentation that the pupil or the parents or guardians of the pupil, or both, have “failed to respond to directives of the SARB or to services provided” (*Ed. Code* § 48263). SARB must make this finding before a minor may come within the jurisdiction of the court (*Welf. & Inst. Code* § 601).

Students and parents must understand that school attendance is not a matter of choice but is a mandate. SARB’s goal is to assist students and families in alleviating the factors that interfere with their compliance with this mandate. However, if the student and parent or guardian choose not to use SARB assistance or follow school attendance laws and the student does not attend school regularly, SARB will take necessary steps to enforce compulsory laws.

## THE PROCESS OF AN EFFECTIVE SARB

Effective SARBs begin their work with a student and his or her family well before the first formal meeting with the student. The process begins with the school and district attendance program that emphasizes the fundamental importance of regular school attendance. It acknowledges the role of a positive school culture—one that is safe, secure, and peaceful. Typically, campuses with a positive school culture have high attendance rates.

Plans for a comprehensive school attendance program should include three elements: prevention, early identification, and intervention. Each element calls for different strategies that need to be considered. All three elements reinforce the importance of regular attendance.

### Prevention, Early Identification, and Intervention

Prevention starts with an effective school board policy on attendance. Such a policy reflects the philosophy that school attendance is important to all staff, students, and parents, and that policy supports the involvement of staff members in maintaining high attendance rates. The policy includes a formal means by which good student attendance is recognized and encourages school accountability for attendance rates. When governing boards in counties and school districts develop attendance policies, they should acknowledge the vital role families hold in promoting school attendance. Solutions to attendance problems must include the family and must support a collective approach to ensuring that youths attend classes and benefit from their education. Finally, the board policy should acknowledge that attendance is a community concern and encourage schools to collaborate with other agencies, including law enforcement agencies, and participate in a SARB program.

Other elements of prevention include school-based activities that encourage a high rate of attendance, such as an attendance awareness month; teachers' and administrators' high expectations for attendance; and recognition of students and classrooms modeling high attendance rates. A list of prevention strategies would also include prompt notification of absences in the parents' native language, special field trips or prizes for perfect attendance, and counseling for truants.

Early identification begins in the classroom. Students who are tardy or who miss many days because of illness in the early grades may become habitual truants later if school personnel fail to connect these early indicators with effective early identification and intervention. Other early indicators may include patterns of attendance, such as students missing on



**SARB's challenge is to identify and link youths with attendance problems and their families to all appropriate school and community resources, including mediation programs that involve the district attorney or county probation department.**

Mondays or Fridays, siblings missing school on the same days, and students “cutting” class during specific periods. Early identification and intervention allow the school to link families with school-based resources that may resolve the problem before it becomes more serious. Early interventions may involve students and families and can include referral to parenting classes, class schedule changes, counseling, and referrals to student study teams or student assistance programs.

In order for interventions to succeed, students and families must view them as supportive, not punitive or judgmental. SARB's challenge is to identify and link youths with attendance problems and their families to all appropriate school and community resources, including mediation programs that involve the district attorney or county probation department. SARBs should involve families and youths in selecting services and resources and in developing the solutions to school attendance problems. The solutions should incorporate the strengths of the family and build on areas in which the family has assets. Whenever SARBs intervene in attendance cases, they should avoid acting as “rubber stamps” for school districts and should instead emphasize collaborative problem solving with the family and student.

Unfortunately, schools often use SARB as a last resort to “punish” students and families who have not complied with school recommendations. SARB efforts then become minimally effective in changing a student's problematic attendance pattern.

SARBs may use legal interventions when all other appropriate resources have been exhausted. Legal interventions may include any of the following: a complaint filed with the district attorney under *Education Code* Section 48923, which alleges that the family failed to follow a SARB directive; a petition in juvenile court under *Welfare and Institutions Code* Section 601(b); or a referral to the courts under *Welfare and Institutions Code* Section 300. Such actions usually are reserved for the most difficult or serious cases, and SARBs use those measures when more traditional and less intrusive measures have failed to change a serious attendance problem.

### Qualities of Effective SARBs

An effective SARB process incorporates a feedback mechanism for SARB members to gain full knowledge of the outcomes of their interventions. Feedback mechanisms apply to individual cases and include monitoring the student's attendance and following through on family referrals. SARBs must also monitor the responsiveness of agencies to which they refer cases and identify any barriers to obtaining services. Local SARBs should prepare reports that list the outcome of cases they have acted upon over the school year. In addition, SARBs should examine the effectiveness of the overall attendance practices at the prevention and early-identification levels.

County SARB membership must include parents and representatives from the following agencies and personnel: school district, county probation department, county welfare department, county superintendent of schools, law enforcement, youth service programs, school guidance personnel, and child welfare and attendance. Other community members should also be involved, such as representatives from county mental health departments, local businesses, county health departments, community-based organizations, family service agencies, and other stakeholders in student attendance. Public agencies and community members all benefit from positive student attendance and the resulting improved achievement. By acting collaboratively with SARB, those agencies can use their resources more effectively or create resources where gaps in service exist. Local SARBs may have the same membership as county SARBs (*Ed. Code* § 48321[a] and [b]).

### Suggestions for Effective SARB Operations

Many effective SARB programs are in operation across the state. They use a variety of strategies to increase their success rate in diverting or minimizing the degree to which students become involved in the juvenile justice system. The following suggestions increase the likelihood of SARB success:

1. Hold SARB meetings in community settings (e.g., probation departments, courtrooms, city council chambers, or other official buildings).
2. Hold SARB meetings on nonjuvenile court days to avoid conflicts with court schedules.
3. Prescreen cases to determine who will be needed on the SARB committee in order to meet the special needs of the student and family. Be especially sensitive to ethnic and cultural needs.
4. Ask SARB members to dress in an official or professional manner, including uniforms for law enforcement personnel, in order to emphasize the seriousness of the proceedings.
5. Use the primary language of the family, if possible, or have interpreters available.
6. Select bilingual SARB members with cultural backgrounds that will meet the language and cultural needs of referred youths and their families.
7. Explain the SARB meeting process to parents before the meeting begins.
8. Rotate chairpersons who facilitate and lead the meetings if a change is determined to be potentially more effective for particular cases.
9. Avoid counseling and focus on problem solving.

## OPERATIONAL FOUNDATIONS OF LOCAL SARBS

A school district (or school districts) desiring to form a local SARB must write a letter to the current county SARB chairperson requesting permission to form such a body. The letter should include the name of the local district or consortium, the geographic area covered, the needs that have been identified, the names of representatives who are available to serve, and the signature(s) of the local superintendent(s). After the county SARB chairperson or county consultant has reviewed the letters and request, he or she will schedule an initial meeting with the superintendent(s) or designee(s) to discuss which steps must be taken to initiate a successful SARB. The chairperson will then submit the written request to the county SARB for discussion, and if the request is approved, local SARB organizers may complete their plans to form a SARB.

If the school district is in a county in which there is no county SARB, it may establish a SARB that operates in the manner as that of a county SARB and holds the same authority as a county SARB.

### Suggested Criteria for Selecting SARB Representatives

Dedicated SARB members are critical to a SARB's success; therefore, the time spent in recruiting qualified personnel is time well spent. When initiating a local SARB or recruiting new members, SARBS should select persons possessing the following qualities:

1. Leadership ability
2. Availability to attend meetings on a regular or emergency basis
3. Experience as a committee chairperson or officer (or equivalent experience) in dealing with the problems associated with delinquency prevention and/or rehabilitation
4. Knowledge of and experience with youth-serving public and private agencies
5. An understanding of the prevention and diversion philosophy in the juvenile justice system
6. An understanding of and respect for individual and group differences, individual and family rights and privacy, and the concept of confidentiality

SARBS should give special consideration to recruiting persons who are able to serve without compensation, because the law does not

provide for compensation. SARBs, however, may wish to reimburse a parent for travel expenses. Another consideration for SARBs should be the balancing of representation among the members selected in order to reflect the ethnic, racial, geographic, and gender components as well as the public and private sectors of their school community.

**Nomination or appointment of representatives.** Although local and county SARBs can find in the *Education Code* the prescribed categories of persons to involve, the state SARB recommends the following procedures in order to gain an appropriate representation:

1. *Parent.* Contact the PTA or other parent advisory group to find a SARB representative from that group.
2. *School district representatives.* Contact the district superintendent to find district representatives from a cross section of levels, programs, and disciplines (e.g., elementary school teacher, middle school teacher, high school teacher, administrator, counselor, continuation education instructor, representative from a special school or program, child welfare and attendance consultant, school psychologist).
3. *County probation department.* Contact the chief probation officer to find a representative from the probation department.
4. *County social services/welfare department.* Contact the director of the social services/welfare department to determine who will represent the department.
5. *Law enforcement agency.* Contact the county sheriff or chief of police (or both) to find a law enforcement representative.
6. *Community-based youth service organizations.* Contact individual community-based service organizations to determine which personnel—paid or volunteer—are available to represent their community service organization.
7. *School guidance representative.* Contact the district's pupil services director to find a school guidance representative.
8. *Child welfare and attendance (CWA) representative.* Contact the district's supervisor of child welfare and attendance to find a representative knowledgeable in CWA matters.
9. *Other representatives.* Consider other representatives who will meet local needs (but bear in mind that the board should not be so large as to become ineffective). Contact such persons regarding their interest, their ability to attend meetings regularly, and their willingness to serve on such a board prior to appointment. Those persons shall be appointed by the county board of education.
10. *Designated alternate representatives.* Follow the same process selecting alternate representatives as that used for selecting official representatives.



**Dedicated SARB members are critical for its success, and time spent in recruiting qualified personnel is important.**

11. *County superintendent of schools representative.* Contact the county superintendent of schools to find a representative to serve in an ex officio advisory capacity.

**Organizational requirements.** Effective SARBs establish the policies and procedures that clarify their purposes and foster the efficient conduct of business. When counties or districts initiate a SARB, they must meet basic organizational requirements if they are to be effective in working with students and families to resolve attendance and behavior problems. The basic requirements for a SARB include the following:

1. Select a chairperson and arrange for secretarial help.
2. Establish tenure of membership to provide for continuity and to include new perspectives.
3. Establish a meeting schedule that identifies when, where, and how often the SARB will meet.
4. Consider the location of SARB meetings for the convenience of all representatives, parents, and pupils.
5. Determine which records are required for local SARBs and develop a system for record keeping and storage. SARBs must maintain records in a manner that guarantees confidentiality and accessibility.
6. Maintain records that track SARB referrals by type, grade level, gender, age of the student, and disposition of the case.
7. Identify and maintain a continuing inventory of community resources for student and family referrals and use. The resources should include alternative educational programs.
8. Recommend appropriate improvement of resources or programs as necessary.
9. Create new resources where gaps exist.
10. Provide for continuing evaluation of the quality and appropriateness of services from community agencies.

**Rules and regulations.** Each local SARB shall develop bylaws. Local SARBs shall be governed by their adopted rules and regulations, which shall not be inconsistent with rules and regulations formulated by the county SARB or legal requirements.

**Annual report.** Local and county SARBs must summarize their operations during the year in an annual report to their governing board and member organizations. Members can use the report to justify their personnel time devoted to SARB, and the data provide a rationale for expanding or modifying SARB activities throughout the county and state. The report, signed by the superintendent(s) of the local school district(s), shall include, but not be limited to, the following information:

1. Name of chairperson, name of each SARB member, and the organization each member represents

2. Types and number of referrals (attendance or insubordination)
3. Total number of students referred to the local SARB, including the number of students referred at each grade level
4. Disposition of referrals (organized by category, such as students moved, students successfully returned to regular school attendance, transfers to alternative setting, students dropped out, students not attending according to agreement, students expelled)
5. Number of cases, by grade level, referred to the county SARB
6. Number of cases referred to the local district attorney
7. Dropout numbers and ratio at each level (elementary school, junior high/middle school, and high school)

For a sample report form, refer to Chapter 6 of this handbook.

## Open Meetings and Confidentiality

State SARB members have asked for legal advice about common issues of confidentiality in SARB operations. The following legal responses provide direction to all county and local SARBs in that the responses apply to meeting the needs of youths and their families.

### The Brown Act

A county SARB is established under the authority of *Education Code* Section 48321. Its members, other than representatives of school districts, are appointed by the county board of education. The powers of a SARB include the adoption of plans to promote interagency and community cooperation and reduce duplication of services provided to youths who have serious school attendance and behavior problems; the establishment of local SARBs; the adoption of rules and regulations; and the consideration of referred cases involving individual students pursuant to *Welfare and Institutions Code* Section 601 and *Education Code* Section 48263.

The Brown Act applies to legislative bodies of local agencies. For the purposes of the Brown Act, counties and school districts are local agencies. Legislative bodies include not only governing bodies, such as the board of supervisors and boards of education, but also any commissions, committees, or other bodies of a local agency, whether permanent or temporary, decision making or advisory, created by resolution or any other formal action of a legislative body (*Govt. Code* § 54952). A SARB would fall within the definition of a legislative body of a local agency.

Therefore, SARBs should have agendas, which should be posted, and generally should act only on matters included on the agendas. SARBs may hold closed sessions when considering matters relating to individual students. Those sessions need to be a part of the regular or special meeting for which notices and agendas are required. In many cases, SARBs maintain written minutes of their meetings.



**Is SARB subject to any part of the Brown Act? Yes, although SARBs may hold closed meetings under certain circumstances.**



**In many cases, these minutes contain the names of the minor and the agency representatives participating in the meeting. These minutes often attribute specific comments to a specific person. May parents request these minutes? Should names be omitted in the minutes? May parents obtain the minutes if they do not have physical custody of the child?**



**May comment sheets (informal notes taken by SARB members during interviews) or minutes be subpoenaed?**

**May SARB members use comment sheets or minutes at a juvenile court hearing?**

### Minutes from SARB Meetings

SARBs should keep minutes of open sessions. Those minutes are public record, subject to inspection by any person. The Brown Act does not require that minutes of closed sessions be kept. *Government Code* Section 54957.2 provides that a legislative body may keep a “minute book” of topics discussed and decisions made at closed sessions. The section provides that: “The minute book made pursuant to this section is not a public record subject to inspection pursuant to the California Public Records Act and shall be kept confidential. The minute book shall be available only to members of the legislative body, or if a violation of this chapter is alleged to have occurred at a closed session, to a court of general jurisdiction wherein the local agency lies. Such minute book may, but need not, consist of a recording of the closed session.”

Keeping minutes of the closed-session portion of a SARB meeting is an option, but doing so is not recommended. Tape recording is also an option, but not recommended. If minutes are kept of closed sessions, they should be kept separately from the minutes of open sessions. Parents, whether custodial or not, should not be given access to the minutes of closed sessions. Whether or not names are used is a policy matter for the SARB and would depend on the purpose of the minutes. It is not necessary to attempt to summarize in the minutes all discussion held on a particular matter. It is necessary, however, for the minutes to identify the items considered and to report the action taken on any item.

The basis for holding a closed session is primarily *Education Code* Section 49076, which provides that SARBs have access to pupil records but are precluded from permitting others access to such information without the written consent of the pupil’s parent or guardian. The possibility of a SARB referring a student to juvenile court adds support to holding closed sessions.

### Comment Sheets

While such items may be subject to a subpoena, the issue is whether an attempt to quash such a subpoena would likely succeed. If comments sheets are not part of the SARB records and are kept or destroyed by persons who make them, the comment sheets would not appear to be public records. As to the right to subpoena such documents, an individual’s thought process used when a governing body makes a decision is generally not relevant. Irrelevance should be the basis for opposition to disclosure pursuant to a subpoena. Minutes are confidential in a closed session and should not be released on the basis of a subpoena without a specific court order.

### Juvenile Court Hearings

SARB members’ use of comment sheets or minutes is an issue for the juvenile court. However, if a witness is giving relevant testimony and uses notes to help refresh his or her recollection, the parties to the case will be entitled to see those notes.

The language of *Government Code* Section 54957.2 makes minutes of a closed session confidential and subject only to review by a court to determine whether a Brown Act violation has occurred. Therefore, minutes should not be used in a court hearing. *Education Code* Section 48263 provides that when a SARB decides that a matter should be referred to the juvenile court, the SARB “shall submit to the juvenile court documentation of efforts to secure attendance as well as its recommendations [as] to what action the juvenile court shall take in order to bring about a proper disposition of the case.” The SARB should prepare and compile documentation apart from the minutes that may be taken at a meeting.

#### Electronic Recordings

Electronic recordings can be treated as the minutes of a closed session. With regard to open meetings, the Brown Act gives anyone attending such a meeting the right to record it unless the SARB finds that such a recording will persistently disrupt its meeting (*Govt. Code* § 54953.5).

#### Confidentiality of Proceedings

Under the Brown Act, agendas must contain a brief general description of each item to be transacted or discussed, including items to be discussed in closed session (*Govt. Code* § 54954.5). The agenda should indicate that student referrals will be considered in closed session. Students’ names need not appear on the agenda. One possible method of handling the matter would be to assign a case number for each referral and list the appropriate case numbers on the agenda.

#### Guidelines for Schools

National figures show that one in six children experiences mental health problems and can benefit from treatment. The schools are in a key position to identify children with both behavior and attendance problems. Concerned classroom teachers are in a position to identify children with problems, and they must be alert to the symptoms that indicate problems and to the resources available in the school district and the community.

Because early symptoms can lead to more serious problems later on, it is important that intervention activities take place early in the students’ schooling. Preventive work should begin in kindergarten and include intensive case work for irregular attendance and noticeable behavior problems. School site attendance and administrative personnel should examine student absence records and discipline referrals regularly and frequently to determine appropriate intervention strategies. Any intervention should build on student and family strengths and assist the student to assume responsibility for his or her behaviors.

**Absences from school.** When attendance personnel examine student absences, they should determine whether the absences are



**May a SARB record the proceedings of its meetings electronically (on audiotape or video)?**

**How confidential are SARB proceedings?**

excessive in number; whether they follow a pattern (e.g., the student is absent mostly on Mondays, Fridays, when exams are scheduled, from a particular class, before or after lunch, or for minor health complaints) or whether they indicate a possible learning disorder.

**Behavior.** School personnel need to be alert to warning signs of possible attendance and behavior problems and difficulty in learning. The symptoms may be temporary or may indicate the need for in-depth attention. Common symptoms requiring further assessment include the following:

- Difficulty in learning and failure to achieve
- Resentment of authority and excessive sensitivity to criticism
- Shy, withdrawn behavior, nail biting, frequent crying, constant tension, or undue fears
- Frequent emotional outbursts, temper tantrums, or obstinate behavior; extreme restlessness or impulsiveness
- Speech difficulties
- Excessive dependence on adults or anxiety of being separated from parents; immaturity; poor peer relationships
- Unhappiness or depression
- Frequent disruptive behaviors in class

**School interventions.** Schools should have a Student Success Team (SST), a School Attendance Review Team (SART), or other site-level guidance team that attempts to resolve the attendance or behavior problem with the student and parent or guardian. In addition, each school district should develop a list of possible school site strategies and appropriate community resources for referring students and their families to professional assistance.

Schools and SARBs have many options for addressing attendance or behavior problems. Collectively, they can find the most appropriate solution for each student and family. Schools need to explore their possible options prior to involving SARB, but SARB can be an invaluable aid in suggesting or enforcing the following strategies:

1. Use asset-based assessment in student and parent/guardian conferences (both parents or both guardians when possible).
2. Conduct staff conferences to discuss the specific needs of students.
3. Consider a flexible class schedule in which students can take early and late classes.
4. Use vocational placement or enrichment at a work site as a student alternative to regular classroom instruction.
5. Change the student's schedule and/or instructor to best match student needs with available course offerings.

6. Request an intra- or interdistrict transfer for the student to give the student a fresh start.
7. Suggest to the parent or guardian that he or she, with the help of the family's physician, investigate or rule out any physical reasons that might be a barrier to the student's education.
8. Refer the student to a school psychologist or to resources in the community that can assist the student and family.
9. Arrange for a student transfer to an alternative program or class that can meet the student's needs.
10. Use alternative educational placements, such as opportunity classes and pregnant-minor classes for students.
11. Provide the necessary evaluation for possible placement in special education programs.
12. Take full advantage of community resources. Make SARB resource listings available to families and make referrals to community programs after carefully considering the individual's needs.

These efforts comply with the legislative intent for intensive guidance and coordinated community services to be provided to meet the special needs of pupils with school attendance or school behavior problems.

### Referral to the Local SARB

After a school refers a student to SARB, a designated SARB member reviews the case to determine whether the school has included sufficient documentation on the student's attendance or behavior problems. School personnel attend a screening meeting with a designated SARB member or child welfare and attendance supervisor to determine the adequacy of the case, identify the date and location of the hearing, and determine the appropriate available guidance and community resources for the case. If the SARB considers the documentation and verification actions to be inadequate, it will remand the case to the school and district for further work. If the referral case is adequate, the local SARB will schedule a meeting that includes SARB members, the student, his or her parent or guardian, and school site and district representatives.

Prior to the hearing, the SARB chairperson completes all required forms and notifies the parent or guardian in writing that a SARB referral has been made. The letter identifies the reasons for the referral, explains the SARB process, identifies the members of the local SARB, states that information from the student's records will be released to the SARB, and invites the parent or guardian to participate in a conference on a specific date and at a specific location. The chairperson also sends a copy of the letter to the student and appropriate personnel in the school district.

**SARB agreement or contract.** At the SARB meeting, members will identify the problem, assess the contributing factors, discuss the school's position, and recommend strategies for alleviating the problems. The



**A local SARB may take legal action, based on its county's established procedures, if it determines that the student's attendance or behavior problems persist after community resources have been exhausted.**

SARB usually formalizes the proposed solutions in a contract with the student to be signed by the student, parent(s) or guardian(s), SARB chairperson, and school district representative. The SARB chairperson clarifies all of the contract agreements made, which should include an agreement that the student will attend school or improve classroom behavior, a statement of the responsibilities of all persons involved, specific referrals made to community services or agencies, and follow-up dates by which the school must report to the local SARB the student's progress in meeting the contract terms. The SARB chairperson should send a letter to the parent or guardian to confirm the content of the agreement. SARBs may find the sample School-Site, Student, and Parent Agreement, in Chapter 6 of this handbook, helpful in developing their forms.

**Progress report.** The school representative is responsible for submitting follow-up reports to the SARB. These follow-up reports will prepare the SARB for possible next steps: time extension for contract completion; termination of the agreement; or follow-up conferences to determine the need to escalate interventions. If the school determines that the student needs additional time to meet all the conditions of the agreement, it may request the SARB to grant an extension of the agreement. SARBs will usually grant reasonable requests of this kind. If the school's reports indicate acceptable improvement, the SARB may terminate the agreement and acknowledge the student's achievement either in a final conference with the student and his or her parent or guardian or in a letter to all concerned persons. If, however, there has been inadequate progress or the agreement has not been maintained by the parent or guardian or the student, the school representative may request that the SARB consider an administrative decision, such as rescheduling a conference with the student and parent or guardian, or initiating legal action.

**Request for legal action.** The local SARB can take legal action based on its county's established procedures if the SARB determines that the student's attendance or behavior problems persist after exhausting community resources. Legal action also can result if the student and family do not follow SARB recommendations, the student violates the terms of the SARB contract, or the student or family fails to cooperate with the local SARB. These legal actions can include several options:

1. Directing the school district to request the probation department to investigate the matter on behalf of the minor (Copies of the request forms should be sent to the office of the county superintendent of schools.)
2. Directing the school district to request the department of social services to file a petition on behalf of the minor (*Welf. & Inst. Code* § 300)

3. Requiring the school district to file a complaint against the parent(s) or guardian(s) for violating *Education Code* sections 48291 and 48452 and *Welfare and Institutions Code* Section 601.2

## Elements of Effective SARB Conferences

Conducting a successful, productive conference requires skill, planning, and work. The chairperson sets the tone for the conference, which should be conducted with a level of formality that lies between an informal counseling session and a formal juvenile court hearing. SARB members must remember that the purpose of the conference is to help, not punish, the student.

**Preparation for conference.** Before a local or county SARB meets with a student and his or her parent or guardian, the chairperson has several tasks and responsibilities to fulfill. It is the role of the chairperson to do the following:

1. Confirm the date, time, and place with the parent(s) or guardian(s) and student. Determine whether the family will need transportation or child care and give the family a telephone number to call in case of illness or an emergency.
2. Review documentation for its appropriateness to the hearing.
3. Designate one SARB member to meet the parent(s) or guardian(s) and student outside the conference room and to bring them in at the appropriate time.
4. Verify that a quorum of SARB members will be present.
5. Start the conference on time and conclude it on time.
6. Ensure that the physical setting for the hearing reflects the importance of the meeting.
7. Confirm that all the needed materials are available: nameplates for SARB members, case records, paper and pens for taking notes, a box of tissues, simple refreshments, and resource and reference materials (e.g., *Ed.Code*, *Welf. & Inst. Code*, and attendance bulletins).

**Appropriate conference techniques.** When a SARB conference is being conducted, the attitude of the members can have a major impact on the outcome. A formal yet friendly demeanor seems to set the best tone. State SARB suggests the following techniques to facilitate the meeting:

1. Use a consistent procedure when conducting meetings.
2. Give concrete suggestions and provide specific resource listings for the parent and child.
3. Give the parent(s) or guardian(s) a written copy of the directives and detailed resource referrals.



**SARB members must remember that the purpose of the conference is to help, not punish, the student.**

4. Take notice of the reactions of the parent and child.
5. Give the student and parent or guardian an opportunity to discuss the case and indicate their understanding of the problem.
6. Emphasize that all SARB members are united in their commitment to support the attempts of the student and parent or guardian to solve the problem.

**Role of the SARB chairperson.** The chairperson has a pivotal role in the SARB meeting. His or her opening remarks are very important in setting a positive tone for the conference. He or she establishes the goal of the conference and identifies the procedures for the conference. Participants must understand the emphasis on shared decision making that makes SARB an effective tool. After the conference ends, the chairperson is responsible for making the necessary notations about the proceedings and forwarding the necessary information to the appropriate resource personnel.

## ENFORCING COMPULSORY SCHOOL ATTENDANCE LAWS

Districts are responsible for initiating responses to violations of compulsory school attendance laws. The success of a response is linked directly to the availability of accurate and complete school attendance records that document the nature and extent of the violation. The following guidelines are designed to assist school district personnel in handling violations of the compulsory attendance laws found in *Education Code* sections 48200, 48260, 48261, 48262, and 48263. (See Appendix B.)

### Guidelines for Handling Violations of Compulsory School Attendance Laws

School records, which are important sources of information in determining the details of the violations, must be accurate and complete when a school district determines that it has sufficient reason to proceed with legal action. At a minimum, the records should include documentation of all contacts pertaining to attendance, both written and verbal, with the parent(s), guardian(s), and student. Accurate and detailed documentation may ultimately be introduced as evidence in an attendance trial; therefore, the district should record such information with the expectation that it may serve as evidence.

The value of school records is linked directly to the manner in which the records have been prepared and maintained. With accurate and detailed attendance and anecdotal records, the district will have a strong presentation in a trial and be able to withstand a strong cross-examination from the defense attorney.

Schools and districts should consider the following guidelines when documenting attendance violations:

1. Require contact personnel to write a summary of their conversations with the parent or guardian. The testimony of a person having heard firsthand statements made by the parent or guardian will be admissible in court. Statements included in a student's file from secondhand sources are considered hearsay and are not admissible. (See Appendix C.)
2. Use return-receipt mail when sending letters and forms to parents or guardians. The evidence of a mailing (i.e., return-receipt) counters any denial of notice that may be made by a parent or guardian in court.
3. Establish a clear documentation procedure that provides details. Keep in mind that as many details as possible about the record or





**Parents are important partners in educating youths and enforcing compulsory attendance laws.**

form should be recorded (e.g., date received, name of the person who received the report, name of the person who provided the report, source of the report, and purpose of the report). (See Appendix D.)

4. Ensure that attendance documents include the name of the district's contact person who has in-depth knowledge of the forms, records, and documentation process. Attendance records, forms, and processes become important elements in establishing the foundation for a district's response to attendance violations. Only a person knowledgeable about records can testify about the nature of the report or form. Testimony is required about the following conditions: (a) the record was made at or near the time of the recorded act, condition, or event; (b) the sources of information as well as the method and time of preparation of the report or form were such as to indicate trustworthiness; and (c) the identification and method of preparing business records, as opposed to the process for official records. (The person who makes the actual entry in the student's file need not testify if the custodian of records or other qualified witness on records testifies. This option is especially helpful in the event of personnel turnover.)

All evidence introduced from testimony or physical evidence must be in accord with the *Evidence Code*. Much of what a lay person *believes* should be included in testimony may not be admissible. Anyone who testifies must have personal knowledge of the matter.

In preparing for a trial related to attendance enforcement, consider the following suggestions to strengthen the SARB case:

- Document all personal contacts and intervention efforts with the student and parent or guardian. Document statements made during the visit. It is advisable to include the school nurse in the visit, regardless of the excuse given for the pupil's absences, to observe possible health problems and to be available later as a corroborating witness.
- If the absence is clearly not within the exceptions identified in *Education Code* sections 48220–48230, the district must inform the parent or guardian of the apparent violations and the provisions in *Education Code* Section 48200. The school district also should provide the parent(s) or guardian(s) with a copy of that code section (or read it to them) and advise them of the specific date by which the pupil must return to school. (See Appendix B.)

### Consequences for Parents or Guardians

Parents can reinforce the importance of school attendance; they are important partners in educating youths. When parents neglect their role and ignore compulsory attendance laws, they face possible legal

penalties. A court may order a person convicted of violating the compulsory education law to immediately enroll the pupil in the appropriate school or educational program and provide proof of enrollment to the court. Willful violation of this order is punishable as civil contempt with a fine up to \$1,000 (amended *Ed. Code* Section 48293, effective January 1, 2001, to January 1, 2005). The court may order the parent(s) or guardian(s) to participate in parent education or counseling programs in lieu of a fine. If the parent(s) or guardian(s) fail to pay the fine willingly or any installment of the fine or to attend a parent education or counseling program, they are in contempt of court. If the parent(s) or guardian(s) are found to be in contempt, the judge may impose a fine, a jail term, or both for failing to obey the court's orders.

### Truancy: Who Does What, When

According to *Education Code* Section 48260, a pupil who is absent from school without a valid excuse for three days in one school year or is tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, **or any combination thereof**, is a truant and shall be reported to the district's attendance supervisor or the superintendent.

When the school district designates a student as truant, it must notify the parents or guardians by first-class mail (or other reasonable means) that the student is truant. The notice also must accomplish the following:

1. Advise the parents or guardians of their obligation to compel the attendance of their student at school.
2. Advise them that if they fail to meet this obligation, they may be found guilty of an infraction and subject to criminal prosecution.
3. Advise them of alternative educational programs that are available in the district.
4. Advise them that their child may also be subject to prosecution.
5. Advise them that their child's vehicle driving privileges may be subject to suspension, restriction, or delay under *Vehicle Code* Section 13202.7.

*Education Code* Section 48260.5(h) stipulates that the first notice to the parent or guardian of a student classified as a truant should state the recommendation that the parent or guardian accompany the pupil to school and attend classes with him or her for one day.

When designated as a truant, the youth becomes subject to the following actions identified in *Education Code* Section 48264.5:

1. Upon the first truancy, the student may receive a written warning from a peace officer, and the school and peace officer may keep the record of warning for later reference.
2. Upon the second truancy in the same school year, the student may be assigned to an after-school or weekend student program



A student may lose his or her driving privileges if he or she attends a SARB program, probation department program, or truancy mediation program and is truant again.

located in the same county as the student's school. If the student fails to complete the assigned study program, he or she will be considered truant for the third time.

3. If the student fails to complete the assigned study program or is truant for a third time within the same school year, the district may refer the student to SARB or to a truancy mediation program (or other comparable program approved by the district's attendance supervisor).
4. Keep in mind that if the student does not complete the truancy mediation program or is truant for the fourth time during the school year, he or she is classified as a habitual truant. The student is then within the jurisdiction of the juvenile court, which may adjudge the student a ward of the court pursuant to *Welfare and Institutions Code* Section 601.
5. Develop a relationship with local law enforcement so that subpoenas that are issued according to *Education Code* Section 48321.5 are honored.

When a student is adjudged as a ward of the court, he or she is required to do one of the following:

- Perform court-approved community service for a public or private nonprofit agency for at least 20 hours but not more than 40 hours within a 90-day period. The student must perform the community service during a time other than school hours or hours of employment. If the student fails to complete the assigned community service, the assigned probation officer must report such to the court.
- Pay a fine of not more than \$100, for which the parent(s) or guardian(s) are jointly liable.
- Attend a court-approved truancy prevention program.

A student may lose his or her driving privileges if he or she attends a SARB program, probation department program, or truancy mediation program **and** is truant again. The court may suspend or revoke all driving privileges, and the youth must surrender his or her license. However, the court must consider whether a personal or family hardship exists that requires the youth to have a driver's license. If the youth is not yet driving, his or her right to do so may be postponed for one year. For each additional time the minor is found to be truant, the court may add an additional year of waiting time for driving privileges.

In the event that the parent(s) or guardian(s) (or person in charge of the minor) fail to respond to the directives of SARB or to the services offered on behalf of the minor, SARB **shall** direct that the youth be referred to the probation department or to the county welfare department under *Welfare and Institutions Code* Section 300. SARB may require the district to file a complaint against the parents or guardians, as

provided in *Education Code* Section 48291 (for failure to follow SARB's directives) or Section 48454 (for failure to compel attendance).

In 1994 the Legislature expanded truancy interventions in *Education Code* Section 48264 by including probation officers in the list of persons who may arrest or assume temporary custody of a student who is found to be away from home or school during the school day without a valid excuse. Previously, that authority had been limited to attendance supervisors (or their designees), school administrators (or their designees), and law enforcement officers.

### Probation Request for Juvenile Court Petition

The county probation department is an arm of the judicial branch of county government. Its responsibility is to carry out probation services for children and adults as required or authorized by local and state statutes. The department is closely linked to the court and provides services of study, treatment, and supervision for the courts. The task of the chief probation officer and his or her deputies is to determine the needs of the offender, help in the careful selection of the individual who will likely benefit from probation, design a practical plan for the student's rehabilitation, and then, through supervision, assist the student in the use of various resources (e.g., mentor, community day school, school counselor) to help the student adjust to his or her home conditions and community.

The probation department's two basic field service functions are (1) investigation to aid the juvenile and criminal courts in determining proper disposition of cases brought before them; and (2) supervision of the children and adults who have been placed on probation by these courts. In addition, specialized functions are to secure suitable living arrangements for juvenile court wards who are unable to remain in their own homes, operate local treatment facilities, administer juvenile hall detention facilities, and provide other specialized services for the courts.

The Application for Juvenile Court Petition is a signed affidavit alleging that a minor within the school is in violation of *Welfare and Institutions Code* Section 601(b) and sets forth facts in support thereof. Because the request or referral is the means of establishing a legal basis for involvement of the juvenile court, it must contain all the information requested, including the dates and times of all incidents and the names and addresses of witnesses and involved persons.

The applicant and witnesses should be aware that they may be subpoenaed to testify in court regarding the allegations presented. Because school officials provide direct testimony, they **must** have observed the behavior personally.

School personnel completing the referral should do so with the belief that the facts therein stated are true and correct and that the minor clearly comes within the meaning of *Welfare and Institutions Code* Section 601(b).

## MEDIATION PROGRAMS

Many county offices of education and local districts have formal programs in place with the Office of the District Attorney and/or county probation department. These programs frequently follow up efforts by district or county SARBs, and they are frequently successful in returning habitually truant youths to school and encouraging the youths' continued attendance. School officials first notify parents or guardians of compulsory attendance laws and parental responsibilities for school attendance. If youths still are truant after parents or guardians have been notified, school officials use the SARB process. If youths are truant after the SARB conferences have been held, SARB has the option of referring the cases to a district attorney's or county probation department's truancy mediation program. Programs of this kind are authorized by *Welfare and Institutions Code* Section 601.3 and *Education Code* Section 48263.5.

### District Attorney and County Probation Department Programs

The following three programs are offered as examples for county offices of education and local school districts as they consider alternative programs for reducing truancy.

**Los Angeles County District Attorney Truancy Mediation.** This district attorney's program has countywide jurisdiction and receives referrals from all local SARBs in Los Angeles County. The district attorney accepts problematic attendance cases when a local SARB determines that a youth and his or her parent(s) or guardian(s) have not responded to SARB directions and resources.

When the district attorney's staff accept the case, they send a letter to the parents or guardians requesting their attendance, with the youth, at a hearing. The district attorney also requests the school attendance worker handling the case to attend. The hearing officer conducts the hearing with the parent(s) or guardian(s) and child and recommends the next appropriate step to resolve the matter. The hearing officer may take no further action other than to require the school attendance worker to monitor the youth's attendance. If the youth shows satisfactory attendance, the district attorney may transfer the case to inactive status after 45 days of regular school attendance.

Any subsequent unsatisfactory attendance is reported immediately to the appropriate Juvenile Division Deputy District Attorney. The Juvenile Division deputy in charge (or designee) will refer the youth's parent(s)

for prosecution if the parent(s) are the persons responsible for the continued poor attendance. The Juvenile Division deputy will refer the matter to the probation department to be considered as a "Section 601 Petition in Juvenile Court" if the parent(s) and youth are jointly at fault or if the youth alone is at fault. The school attendance worker is responsible for presenting evidence to support the filing against the parent, the youth, or both.

**Santa Clara County District Attorney's Truancy Mediation.** In Santa Clara County, each of the 32 school districts having families with habitually truant students is eligible to participate in the Santa Clara County District Attorney's Truancy Mediation Program. The school districts that participate in this mediation program send representatives to a training session conducted by a Deputy District Attorney to ensure the school districts' successful participation in the program.

A participating school district will schedule a group meeting with up to 25-30 families with habitually truant students. The Deputy District Attorney sends a letter notifying the parents that they are requested to attend a one-hour meeting at the school or school district office. Parents sign in at the meeting so that the school will have a record of those who attended.

The Deputy District Attorney leads a panel consisting of representatives from community-based organizations, the police department, and the juvenile probation department as well as a school nurse or health clerk. School administrators are present to answer questions and to talk with families after the meeting about individual student issues. The Deputy District Attorney advises parents of their legal obligations as determined by the California compulsory education laws and the consequences of their failure to comply. Each panel member discusses the services available for families through the organization the member represents. Time is reserved for questions.

After the meeting, school staff determine which families did not attend the meeting. A law enforcement officer goes to the homes of those families and delivers a notice to appear at the school district office for a meeting with school personnel or for a SARB conference if the family has not yet participated in a SARB conference. The mediation program serves approximately 4,000 families each year.

**Tulare County Probation Truancy Mediation.** In Tulare County, the Visalia Unified School District has created a truancy mediation program in conjunction with the county probation department. In this program the probation department has assigned an officer to co-chair the district's SARB. At the formal SARB hearing, the officer informs the student and family that if they do not follow the SARB contract, the case will be referred to the probation department for handling. If a case is referred, probation department staff then notify the family of a scheduled meeting for the student and parent(s) or guardian(s). During that meeting, the probation officer places the student on a six-month informal probation



If SARB determines that its resources are not adequate to resolve the problem with the youth or parents and that additional resources are necessary or if the parties have failed to respond to SARB directives regarding attendance, SARB has the option of referring the case to a district attorney's or county probation's Truancy Mediation Program.

contract and informs the family of the terms and conditions of the probation, emphasizing their responsibilities regarding attendance and behavior. During the meeting, the officer also notifies the parent(s) or guardian(s) of a possible referral to municipal court for prosecution if the family fails to cooperate fully. During the six-month probation, SARB provides monthly progress reports to the probation officer who is handling the case.

### Basic Documents Necessary for Filing for Prosecution

The basic documents necessary for filing for prosecution are described in the following paragraphs:

**Attendance records.** Keep attendance records as simple as possible; the case must be understood by the prosecuting attorney or probation officer and explainable to the trial court. Be prepared to provide the name of a person who can testify as to the compilation, accuracy, and maintenance of these records. Include the attendance records *and* a summary sheet of the attendance information.

**Documentation letter.** Keep copies of all correspondence between the school and the parent(s) or guardian(s), all instructions given to the parent(s) or guardian(s), and any other written documents provided by either party for the other.

**Case history.** Note every occurrence concerning the case, including the action taken, the name of the person who initiated the action, names of all persons involved, and the dates and times of interactions. Include all telephone conversations, any observations of behavior, or any detail concerning the case. The records give the prosecuting attorney or probation officer and the court an overview of the school's actions as well as the completeness of those actions regarding the preparation of the case prior to its submittal for prosecution. (Notes may be handwritten and in abbreviated form.)

**Case outline.** Summarize the case briefly. Provide a description of the problem, what the school has done to solve the problem, and the attempts made by the school to educate the parent(s) about the problem. Include the family's responses to the school's efforts and an analysis of the reasons the school is now submitting the problem for prosecution. The summary orients the prosecuting attorney and focuses the submitting official's attention on prosecutable issues.

## SAMPLE DOCUMENTS FOR PUPIL ATTENDANCE PROBLEMS

The forms, letters, and other documents in this chapter are suggested examples and are intended to be modified as appropriate. Establishing uniformity within a SARB would expedite processing and build consistency as personnel move from one area to another. Although *Education Code* sections 48260.5, 48261, and 48262 offer specific language in regard to parent notification, additional notifications or invitations to meet may be effective.

The following sample documents are provided to give districts a variety of options as they develop their own intervention programs for attendance problems:

### **Truancy Prevention Letters**

- Beginning-of-School Letter from Principal
- Attendance Letter from District Superintendent

### **Truancy Notification Letters**

- First Notification of Truancy or Excessive Absences  
(required letter to parent or guardian)
- Spanish Translation of First Notification of Truancy or Excessive Absences (required letter to parent or guardian)
- Second Notification of Truancy or Excessive Absences
- Third Notification of Continued Truancy
- Fourth Notification of Truancy
- Notification Letter of Parent Meeting at District Office
- Notification Letter of SARB Referral

### **Documentation Forms for Referrals**

- Case Chronology Work Sheet
- Attendance Records and Summary of Action (two pages)
- School Attendance Review Board Information Sheet
- Truancy Report
- Confidential SARB Referral Form
- District Attorney Mediation Referral (three pages)
- District Attorney Truancy Referral



**Subpoena for SARB Hearing**

Subpoena for SARB Hearing

**Student and Parent Agreements**

School Site, Student, and Parent Agreement

Summary of Parent(s) and Pupil Conference and Agreement

Student-Parent Agreement

**SARB Follow-Up Letters**

SARB Confirmation of Agreement Letter

SARB Congratulations Letter

**SARB Identification Stickers**

**Petition**

Petition to the Court to Suspend or Delay Pursuant to  
*Vehicle Code* (two pages)

**SARB Annual Report Forms**

District Summary Submitted to County SARB

District/County SARB Annual Summary Report

**Letter to Parent Regarding Home Schooling**

## Beginning-of-School Letter from Principal (Issue on school letterhead.)

Date \_\_\_\_\_

(Name of parents and address)

Re: \_\_\_\_\_

Dear Parent:

The school year is beginning soon. As you may already know, school attendance is required for all children ages six through eighteen.

Last year, your child had an excessive number of absences or tardies. This year we will monitor your child's attendance closely and will insist that your child attend school regularly and on time unless she or he is ill.

State law states that absences are excused **only** if the child is ill or there is a death in the immediate family (1–3 day limit). All other absences are unexcused. Any tardy over 30 minutes, except for medical reasons, is also unexcused. If your child has three unexcused absences and/or tardies, he or she will be considered truant. After four more unexcused absences or tardies, you could find yourself before a judge and paying a fine.

Many parents are unaware that going “out of town” with their children during school is an unexcused absence, as are “family emergencies.” In both cases, planning ahead can avoid unexcused absences and possible prosecution by the \_\_\_\_\_ District Attorney's Office. Some parents think that lying about illnesses will solve the problem. It is our district's policy that we may require a doctor's note for three consecutive days of absence. **[If we feel that your child is absent excessively (over 10%), we can require a doctor's note for every absence.\*]**

It is our hope that during the summer you have planned and organized so that school is a number-one priority in your family. Make carpooling arrangements, plan trips for holidays and vacations, and have a back-up person available to take your child to school if you are ill or otherwise unable to do so.

If you must go out of town, have your child do independent study. Teachers need one week's notice to prepare materials.

We at \_\_\_\_\_ work very hard to ensure that your child receives the best education possible. We cannot do that if your child is not in school—on time, every day, when she or he is healthy. Please help us to provide your child with the outstanding education she or he deserves.

Thank you very much for your cooperation. Enclosed you will find a copy of the next year's school calendar.

If you have any questions, please feel free to call us at \_\_\_\_\_.

Sincerely,

\_\_\_\_\_, Principal

cc: \_\_\_\_\_, Manager of Guidance, Child Welfare and Attendance

Cumulative folder

*\*Use this portion only if applicable to your school district.*

## Attendance Letter from District Superintendent (Issue on school district letterhead.)

Date \_\_\_\_\_

Dear Parents/Guardians:

\_\_\_\_\_ School District is dedicated to academic achievement and success for all students. Regular school attendance is an integral part of that success. The district's Attendance Improvement Program has been successful in increasing the attendance rate for the past two years. The result is improved academic skills and social and emotional growth for our students.

This year the Dropout Prevention Teams and the Attendance Improvement Teams will be aggressive in making sure that students are in school on time, every day. Please read carefully pages \_\_\_\_\_ in the *Parent Information Handbook* regarding attendance. Included in that information are the laws pertaining to truancy, excused absences, and unexcused absences. [If your child is absent three or more consecutive days or more than 10% of the school days, a medical verification may be required.\*] Please note that if your child is out of school for more than four days, you may ask that he or she be assigned short-term independent study. This will prevent your student from having unexcused absences and will help maintain his or her academic program.

If you have any questions regarding attendance, please contact your school principal. I wish you and your student a most successful school year.

Sincerely,

\_\_\_\_\_  
District Superintendent

*\*Use this portion only if applicable to your school district.*

## First Notification of Truancy or Excessive Absences

(Required letter to parent or guardian; issue on school district letterhead.)

Date: \_\_\_\_\_

Dear Parent/Guardian,

This letter is to inform you that your child, \_\_\_\_\_, in the \_\_\_\_\_ grade is considered a truant.

### Unjustified Absences

*Education Code* Section 48260—Any pupil subject to full-time education who is absent from school without valid excuse more than three days or *tardy in excess of 30 minutes* on each of more than three days in one school year is a truant and shall be reported to the attendance supervisor of the superintendent of the school district.

*Education Code* Section 48260.5—

- (A) Upon a pupil's initial classification as a truant, the school district shall notify the pupil's parent/guardian, by first-class mail or other reasonable means, of the following:
- (1) That the pupil is truant.
  - (2) That the parent/guardian is obligated to compel the attendance of the pupil at school.
  - (3) That parents/guardians who fail to meet this obligation may be guilty of an infraction and subject to prosecution pursuant to Article 6 (commencing with Section 48290) of Chapter 2 of Part 27.
- (B) The district also shall inform parents/guardians of the following:
- (1) Alternative educational programs available in the district.
  - (2) The right to meet with appropriate school personnel to discuss solutions to the pupil's truancy. (Added Statutes, 1983, Chapter 498)
  - (3) The student may be subject to arrest under *Education Code* Section 48264.
  - (4) The student may be subject to suspension, restriction, or delay of his/her driving privilege pursuant to *Vehicle Code* Section 13202.7.
  - (5) That it is recommended that the parent or guardian accompany the pupil to school and attend classes with the pupil for one day. (Added Statutes, 1983, Chapter 498)

### Excessive Excused Absences

Truant, unverified, unexcused, excessive excused absences, and tardies affect the student's education and increase the chances for failure. Tardies interrupt the classroom and interfere with the learning environment for all students.

Please discuss this issue with your child. Failure to improve his/her attendance will result in a conference with a designee at your child's school.

*Our goal is to educate your child. We cannot be successful if your child is not in school.*

---

Administrator's Signature

---

Date

## Spanish Translation of First Notification of Truancy or Excessive Absences

(Required letter to parent or guardian; issue on school district letterhead.)

Fecha: \_\_\_\_\_

Estimado Padre/Tutor,

El motivo de esta carta es informarle que se considera que su hijo, \_\_\_\_\_, que asiste a \_\_\_\_\_ grado, tiene un problema de asistencia que debe ser corregido.

### Ausencias Injustificadas

*Código de Educación*, Sección 48260—Todo alumno que recibe educación de jornada completa que esté ausente de la escuela sin una excusa válida durante más de tres días o *que llegue más de 30 minutos tarde* cada día durante más de tres días durante el año escolar se considera un alumno con ausencias injustificadas y será denunciado ante el supervisor de asistencia o el superintendente del distrito escolar.

*Código de Educación*, 48260.5—

- (A) Cuando se considere que un alumno tiene ausencias injustificadas, el distrito escolar notificará al padre/tutor del alumno, por correo de primera clase u otro medio razonable, sobre lo siguiente:
- (1) Que se considera que el alumno tiene ausencias injustificadas.
  - (2) Que el padre/tutor tiene la obligación de exigirle al alumno que asista a la escuela.
  - (3) Que los padres/tutores que no cumplan con esta obligación pueden ser culpables de una infracción y pueden ser procesados conforme al Artículo 6 (a partir de la Sección 48290) del Capítulo 2 de la Parte 27.
- (B) El Distrito también deberá informar a los padres / tutores sobre lo siguiente:
- (1) Programas de educación alternativos disponibles en el distrito.
  - (2) El derecho a reunirse con el personal correspondiente de la escuela para discutir posibles soluciones a las ausencias injustificadas del alumno. (Leyes adicionales de 1983, Capítulo 498.)
  - (3) El alumno puede estar sujeto a arresto conforme al *Código de Educación*, Sección 48264.
  - (4) El alumno puede estar sujeto a suspensión, restricción o postergación de su privilegio de conducir conforme al *Código de Vehículos*, 13202.7.
  - (5) Se recomienda que el padre/tutor acompañe al alumno a la escuela y asista a las clases con el alumno para un día. (Leyes adicionales de 1983, Capítulo 498.)

### Exceso de Ausencias Excusadas

Las ausencias injustificadas, no verificadas, sin excusa, el exceso de ausencias excusadas, o las llegadas tarde afectan la educación del alumno y aumentan las posibilidades de fracaso. Las llegadas tarde interrumpen la clase e interfieren con el ambiente de enseñanza de todos los alumnos.

Por favor converse con su hijo sobre este tema. Si su asistencia no mejora, se convocará a una junta con una persona designada de su escuela.

*Nuestro objetivo es educar a su hijo. No podemos cumplirlo con éxito si su hijo no está en la escuela.*

\_\_\_\_\_  
Firma del Administrador

\_\_\_\_\_  
Fecha

## Second Notification of Truancy or Excessive Absences

(Issue on school district letterhead.)

Parent's name \_\_\_\_\_ Date \_\_\_\_\_  
Student's name \_\_\_\_\_ School \_\_\_\_\_  
Address \_\_\_\_\_ Student ID# \_\_\_\_\_  
\_\_\_\_\_

Dear Parent/Guardian:

This **SECOND LETTER** is to inform you that your child continues to have an attendance problem.

Number of excused absences \_\_\_\_\_  
Number of unexcused absences \_\_\_\_\_  
Number of tardies (31+ minutes) \_\_\_\_\_  
**TOTAL** \_\_\_\_\_

1. The School Attendance Review Team (SART) has received a referral on behalf of your child regarding excessive excused absences, tardies, or unexcused absences.
2. An appointment has been made for you and your child to meet with SART to consider a proper plan for correcting this problem.
3. Both parents are requested to attend. Please bring your child.

### YOUR SCHEDULED APPOINTMENT IS AS FOLLOWS:

Date \_\_\_\_\_  
Time \_\_\_\_\_  
Location \_\_\_\_\_

**Failure to appear will result in a referral for further action.**

### For unexcused absence or tardies:

*Education Code* Section 48261—Subsequent Report of Truancy. Any pupil who has been reported as a truant and who is again absent from school without a valid excuse one or more days, or tardy on one or more days, shall again be reported as a truant to the attendance supervisor or the superintendent of the district.

We appreciate your cooperation in being prompt for your appointment.

Principal or Designee: \_\_\_\_\_

Attachment: Copy of Attendance Record

cc: Cumulative folder/student's teacher(s)

### Third Notification of Continued Truancy

(Issue on school district letterhead.)

(Note: Many districts omit this letter and go directly to the declaration of habitual truancy.)

Date \_\_\_\_\_

Dear \_\_\_\_\_:

Your child was last reported as a truant on \_\_\_\_\_. This **THIRD LETTER** is being handed to you personally to inform you that your child, \_\_\_\_\_, continues to have a school attendance problem.

**Additional Dates of Truancies** (at least one additional day):

Unexcused \_\_\_\_\_ Number of excused absences \_\_\_\_\_

Number of unexcused absences \_\_\_\_\_

Tardies \_\_\_\_\_ Number of tardies (31+ minutes) \_\_\_\_\_

*Education Code* Section 48261—Subsequent Report of Truancy: Any pupil who has been reported as a truant and who is again absent from school without a valid excuse one or more days, or tardy on one or more days, shall again be reported as a truant to the attendance supervisor or the superintendent of the district.

CalWORKS benefits may be sanctioned if your child continues to have attendance problems.

I, \_\_\_\_\_, have discussed this letter and the attached Attendance Contract Agreement and handed copies to each parent or guardian on this day of \_\_\_\_\_ (day, month, year). Further, I have informed the parent/guardian of the right to meet with appropriate school personnel and of alternative education programs available in the district.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Law Enforcement Agency

\_\_\_\_\_  
Date

Attachments: Release of Information Form

cc: Cumulative file  
Student's teacher(s)  
Principal  
District file  
Attendance clerk

## Fourth Notification of Truancy

(Issue on school district letterhead.)

(Note: Many districts use this notification to declare a student habitually truant and/or schedule a SARB hearing or other intervention.)

Date \_\_\_\_\_ Re: \_\_\_\_\_  
(Student's name)

Dear Parent/Guardian:

Your child was last reported as a truant on \_\_\_\_\_. This fourth letter informs you that your child is now considered a habitual truant.

### Additional date(s) of truancies (at least one additional)

Unexcused \_\_\_\_\_ Tardies (31+ minutes) \_\_\_\_\_

### History of attendance

Attendance record as of \_\_\_\_\_ is as follows:

Days of enrollment \_\_\_\_\_ Days present \_\_\_\_\_ Unexcused absences \_\_\_\_\_ Excused absences \_\_\_\_\_  
Tardies \_\_\_\_\_

*Education Code* Section 48262—Habitual Truant: Any pupil deemed a habitual truant and has been reported as a truant three or more times per school year, provided that no pupil shall be deemed a habitual truant unless an appropriate district officer or employee has made a conscientious effort to hold at least one conference with a parent or guardian of the pupil and the pupil himself after filing of either of the reports required of *Education Code* Section 48260 or 48261.

**The school has attempted to work with you to solve your child's attendance problems. These attempts have been unsuccessful. It will now be mandatory for you and your child to attend a School Attendance Review Board (SARB) hearing. Your scheduled appointment is as follows:**

Date \_\_\_\_\_  
Time \_\_\_\_\_  
Location \_\_\_\_\_

**You are required to attend this conference** (*Education Code* Section 48321.5). **Failure to attend or reschedule will result in a referral to the District Attorney's Office.** If you need to reschedule this meeting please call the SARB Office at \_\_\_\_\_.

CalWORKS or probation referrals may result in Juvenile Court action. CalWORKS benefits may be sanctioned if your child continues to have attendance problems. A parent who fails to meet his/her obligation may be guilty of an infraction and subject to prosecution (*Education Code* Section 48290). Complaints filed with the District Attorney may go to court and result in fines and court-ordered parent education/counseling programs.

Signature of SARB Chairperson \_\_\_\_\_

Meeting confirmed with parent on \_\_\_\_\_  
(Date)

By \_\_\_\_\_  
Signature (Case Manager)

cc: Cumulative file  
Student's teacher(s)  
Principal  
Originator  
District file

- ☐ Phone  
☐ Face-to-face  
☐ Other \_\_\_\_\_



## Notification Letter of Parent Meeting at District Office

Date \_\_\_\_\_ School \_\_\_\_\_

Dear \_\_\_\_\_:

This letter is to inform you that after repeated discussion, conferences, and meetings concerning \_\_\_\_\_'s attendance, (his/her) attendance has not improved. Your (son/daughter) was again absent/tardy on the following date(s):

- ☐ Truant or unexcused absence on \_\_\_\_\_
- ☐ Tardy on \_\_\_\_\_
- ☐ Excessive excused absence on \_\_\_\_\_

This poor attendance/punctuality is: ☐ Seriously affecting (his/her) education  
☐ Seriously affecting the classroom learning process  
☐ Creating a poor example for other children

Because your (son/daughter)'s attendance has not improved, I have scheduled a meeting with the supervisor of Child Welfare and Attendance to identify possible solutions to improve your (son/daughter)'s attendance. This meeting **for you and your son/daughter**, will be on \_\_\_\_\_ at 4:00 p.m. at the District Office, located at \_\_\_\_\_. Please call the Child Welfare and Attendance Office at \_\_\_\_\_ no later than \_\_\_\_\_, 20\_\_\_\_, to confirm this meeting.  
(phone number) (date)

Failure to attend this meeting with the supervisor of Child Welfare and Attendance will result in a referral to the district School Attendance Review Board (SARB).

*Education Code Section 48263*—If any minor in any district of a county is a habitual truant, or is irregular in attendance at school, as defined in this article, or is habitually insubordinate or disorderly during attendance at school, the pupil may be referred to a School Attendance Review Board.

I look forward to meeting with you to resolve this very serious problem.

Sincerely,

\_\_\_\_\_  
Principal (or designee)

cc: Student file  
Site administrator  
Child Welfare and Attendance Supervisor

## Notification Letter of SARB Referral

(Note: Districts may send this letter when the school has exhausted site-level resources and referrals.)

Date \_\_\_\_\_

School \_\_\_\_\_

Dear \_\_\_\_\_:

This letter informs you that after repeated discussion, conferences, meetings, and contract(s), your son/daughter, \_\_\_\_\_, has not improved his/her attendance. Your son/daughter was again absent/tardy on the following date(s):

- ☐ Truant or unexcused absence on \_\_\_\_\_
- ☐ Tardy on \_\_\_\_\_
- ☐ Excessive excused absence on \_\_\_\_\_

*Education Code* Section 48621—Subsequent Report of Truancy: Any pupil who has once been reported as a truant and who is again absent from school without a valid excuse one or more days, or tardy on one or more days, shall again be reported as truant to the attendance supervisor or the superintendent of the district.

*Education Code* Section 48262—Habitual Truant: Any pupil deemed an habitual truant and has been reported as a truant three or more times per school year, provided that no pupil shall be deemed an habitual truant unless an appropriate district officer or employee has made conscientious effort to hold at least one conference with a parent or guardian of the pupil and the pupil himself, after the filing of either of the reports required by *Education Code* Section 48260 or 48261.

Unfortunately it has become necessary to refer this matter to the district School Attendance Review Board (SARB). We have exhausted all resources available to our school site and are now required to make this referral.

*Education Code* Section 48263—If any minor in any district of a county is a habitual truant, or is irregular in attendance at school, as defined in this article, or is habitually insubordinate or disorderly during attendance at school, the pupil may be referred to a School Attendance Review Board.

You will be contacted by the supervisor of Child Welfare and Attendance concerning the scheduled hearing before the School Attendance Review Board (SARB). If you have any questions concerning this hearing, please call my office at \_\_\_\_\_ between 7:30 a.m. and 4:30 p.m.

(Telephone)

Sincerely,

\_\_\_\_\_  
Principal (or designee)

cc: Student file  
Child Welfare and Attendance Supervisor

## Case Chronology Work Sheet

*Instructions: Complete as contacts are made or actions occur. Make and use as many copies of this blank form for your individual case files as necessary.*

Student \_\_\_\_\_

Telephone \_\_\_\_\_

Address \_\_\_\_\_

School Year \_\_\_\_\_

School \_\_\_\_\_

District \_\_\_\_\_

### CONTACTS

Type of Contact	Date	Contact Made by	Purpose of Contact	Response/Comments from Person Contacted
Telephone				
Correspondence				
Home visit				
Observed on campus				
Conference				
Agency contact				
SARB				
Other				

## Attendance Records and Summary of Action

### Student and Family Information

Name of minor (Last name, first)			Date of birth	Age	Sex	Height	Weight	Date of report
Eye color	Hair color	Ethnic origin	Distinguishing marks					
Address (number/street/city/ZIP)								
School and district							Grade	
Father/stepfather			Date of birth	Address			Telephone number	
Mother/stepmother			Date of birth	Address			Telephone number	
Guardian			Date of birth	Address			Telephone number	

### Summary of Problem

Problem statement (Use attachments if necessary.)	<b>Summary of Absences</b>	Current school year	Prior school year
	Total no. school days absent to date		
	No. days with valid excuse		
	Number days truant		
	No. days absent with non-valid excuse		
	No. days not enrolled		

#### 601.1 WIC Habitually Truant

- Said minor was absent from school without valid excuse for three days in one school year, or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof.

Dates of absences/tardies <i>Education Code</i> Section 48260	Dates of verification	Person contacted (Parent, guardian, person in charge)	Employee contacting family (name of the school official)	Method of contact
First				
Second				
Third				
Truancy was reported to (Supervisor of Attendance)				Date

- Having been reported as a truant, the said minor was again absent without valid excuse or tardy on an additional day.

Date of absence/tardy <i>Education Code</i> Section 48260	Date of verification	Person contacted (Parent, guardian, person in charge)	Employee contacting family (name of the school official)	Method of contact
Truancy was reported to: (Supervisor of Attendance)				Date

Pursuant to *Education Code* Section 48262, a conference was set with the parent(s)/guardian(s) and student on \_\_\_\_\_

The results of that meeting were \_\_\_\_\_

The parent/guardian meeting was not conducted because \_\_\_\_\_

3. Subsequent to the above dates, the said minor was again absent without valid excuse or tardy on an additional day.

Date of absence/tardy <i>Education Code</i> Section 48260	Date of verification	Person contacted (Parent, guardian, person in charge)	Employee contacting family (name of the school official)	Method of contact
Truancy was reported to (Supervisor of Attendance):				Date

**Excessive absences:** Parent(s)/guardian(s) have failed to send youth to full-time day/continuation school, to wit (use attachments if necessary to identify date, person contacted, person who made the contact, and the explanation for each absence):

Minor having been habitually truant or excessively absent or both, SARB referral made to \_\_\_\_\_  
on \_\_\_\_\_ (Name of local SARB)

### School Attendance Review Board Findings

Date(s) of SARB meetings with minor and parent(s)/guardian(s) : \_\_\_\_\_

SARB determined public and private services were insufficient or inappropriate **and** minor failed to respond to directives or services provided as follows (use attachments as necessary):

In that the above situation exists, SARB requests the case be referred to the Probation Department for filing of a petition, pursuant to *Welfare and Institutions Code* Section 601, alleging the minor is a habitual truant pursuant to *Education Code* Section 48200, 448262, 48400, or 48402.

Are there prior or current Juvenile Court proceedings (*WIC* §§ 300, 601, or 602)? If yes, please explain:

I certify under penalty of perjury under the laws of the State of California that the foregoing information is correct.

\_\_\_\_\_  
Signature of SARB Chairperson

\_\_\_\_\_  
Date

[SARB Seal]

### Necessary Items for Filing a Petition with the Court

Certified copies of:

Minor's student attendance record (including a legend for notations)  
Record of contacts with the minor and/or parents/guardians, identifying who made the contact and explanation reported by the person contacted  
Evidence of efforts to hold a conference with the parent/guardian, per *Education Code* Section 48262, and the results thereof  
Record of SARB findings, including oral and written statements of the minor and parent/guardian, and the results of SARB referrals, if any

Witnesses (include the names, addresses, and telephone numbers of the following persons):

Representative of attendance supervisor  
SARB representative  
School employee who can identify the minor  
School employee(s) who contacted or attempted to contact the minor and parent(s)/guardian(s)  
Interpreter(s) used during the proceedings

## School Attendance Review Board Information Sheet

Student's name:	First	Middle	Last
Birth date:	Home telephone:		
Address:			

### Parent(s)/guardian(s):

Father's name:	First	Middle	Last
Birth date:	Occupation:		
Social security number:	Work telephone:		
Driver's license number:	State:		
Mother's name:	First	Middle	Last
Birth date:	Occupation:		
Social security number:	Work telephone:		
Driver's license number:	State:		
Guardian's name:	First	Middle	Last
Birth date:	Occupation:		
Social security number:	Work telephone:		
Driver's license number:	State:		

### List other children in the home:

Name	Age	School of attendance

## Truancy Report

\_\_\_\_\_ School District

To: Supervisor of Attendance

Date: \_\_\_\_\_

From: \_\_\_\_\_

School: \_\_\_\_\_

Re: \_\_\_\_\_  
(Last name) (First name)

Birth date: \_\_\_\_\_

Address: \_\_\_\_\_  
(Number and street)

Grade: \_\_\_\_\_

\_\_\_\_\_  
(City) (ZIP)

Phone: \_\_\_\_\_

Parent(s)/guardian(s): \_\_\_\_\_

This report covers period from \_\_\_\_\_ to \_\_\_\_\_ Total school days: \_\_\_\_\_

Total days of unexcused absences this school year: \_\_\_\_\_

Total periods of unexcused absences this school year: \_\_\_\_\_

### Truancy

report number: \_\_\_\_\_ 1  
\_\_\_\_\_ 2  
\_\_\_\_\_ 3  
\_\_\_\_\_ 4 Final (habitual)

### Corrective steps taken:

- ☐ Home call(s)
- ☐ Counselor/student conference(s)
- ☐ Parent conference(s)
- ☐ Letter(s) to parent/guardian
- ☐ Student conference(s)
- ☐ Other: \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_

The *Education Code*, State of California, deals with truancy in the following sections:

- 48260 Any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without valid excuse three full days in one school year or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year or any combination thereof, is truant and shall be reported to the attendance supervisor or to the superintendent of the school district.
- 48260.5 The parent or guardian is obligated to compel the attendance of the pupil at school. Parents or guardians who fail to meet this obligation may be guilty of an infraction and subject to prosecution. Parents or guardians have the right to meet with appropriate school personnel to discuss solutions to the pupil's truancy.
- 48261 Any pupil who has once been reported as a truant and who is again absent from school without valid excuse one or more days, or tardy for more than any 30-minute period on one or more days, shall again be reported as a truant to the attendance supervisor or the superintendent of the school district.
- 48262 Any pupil is deemed a habitual truant who has been reported as a truant three or more times per school year, provided that no pupil shall be deemed a habitual truant unless an appropriate district officer or employee has made a conscientious effort to hold at least one conference with a parent or guardian of the pupil and the pupil himself, after the filing of either of the reports required by Section 48260 or 48261.

\_\_\_\_\_  
Signature of Administrator

\_\_\_\_\_  
Title

## Confidential SARB Referral Form

☐ Attendance problem☐ Behavior problem

Pupil's name		Grade	Age	Birth date
School			Birthplace	
Pupil's address			Home telephone number	
Father's name			Daytime telephone number	
Address				
Mother's name			Daytime telephone number	
Address				
Languages spoken at home	Translator required <input type="checkbox"/> Yes <input type="checkbox"/> No	Source of income <input type="checkbox"/> Employment <input type="checkbox"/> AFDC <input type="checkbox"/> Retired <input type="checkbox"/> Other		
Siblings' names	Age	School	Attendance patterns	

## Pupil's attendance pattern:

- \_\_\_\_\_ Total days in attendance
- \_\_\_\_\_ Total days of possible attendance
- \_\_\_\_\_ Total days of excused absences
- \_\_\_\_\_ Total days of unexcused absences
- \_\_\_\_\_ Total number of days of truancy
- \_\_\_\_\_ Total period absences
- \_\_\_\_\_ Total days of attendance, previous year
- \_\_\_\_\_ Total days of possible attendance, previous year

## Factors affecting attendance:

- \_\_\_\_\_ Family problems
- \_\_\_\_\_ Lack of parental involvement
- \_\_\_\_\_ Economic stress
- \_\_\_\_\_ Student's attitude
- \_\_\_\_\_ Health
- \_\_\_\_\_ Drugs/alcohol
- \_\_\_\_\_ Work
- \_\_\_\_\_ Friends
- \_\_\_\_\_ Teen mother
- \_\_\_\_\_ Academic performance low
- \_\_\_\_\_ Unknown

## Academic history:

Retained? ☐ Yes ☐ NoNumber of classes with D/F/U grades in  
the last two years \_\_\_\_\_

## Special programs placement:

☐ GATE ☐ DHRC ☐ SH  
☐ SED ☐ SDC ☐ Other \_\_\_\_\_  
☐ LH ☐ DIS

Medical information, medications, and dosages: \_\_\_\_\_

Summary statement of possible causes of attendance or behavior problems: \_\_\_\_\_

Site Administrator's Signature \_\_\_\_\_

Date \_\_\_\_\_

Documentation to be attached: (1) attendance card or report; (2) class schedule; (3) transcripts for secondary school; (4) last report card; (5) standardized test scores; (6) SART or SST information; (7) documentation of school contact with parents; and (8) other documentation to identify pattern and school responses to problem. (*Note:* Documentation should be easily understood by nonschool employees.)



# District Attorney Mediation Referral

(Education Code Section 48200 et seq.)

**DA USE ONLY**

JAIN

PDJ number

Probation Office

Office Location

TO: District Attorney				Date			
Name of minor (surname first)			DOB	Age	Sex	Height	Weight
Eye color	Hair color	Ethnic origin	Distinguishing marks				
Address (number/street/city/ZIP)							
School and district						Grade	
Father/stepfather			DOB	Address		Telephone	
Mother/stepmother			DOB	Address		Telephone	
Guardian			DOB	Address		Telephone	

**SUMMARY OF PROBLEM** (use attachments if necessary)**I. Summary of Absences**

Current school year

Prior school year

Total number of school days to date		
Number of days absent without excuse		
Number of days truant		
Number of days absent with non-valid excuse		
Number of days not enrolled		

**II. 601.1 Welfare and Institutions Code, Habitually Truant (Complete if minor alone or minor and parent at fault. If parent alone at fault, omit Part II and complete Part III.)**1. Said minor was absent from school without valid excuse **FOUR** or more days, to wit (per Education Code Section 48260):

Dates of absences	Dates of verification	Person contacted (Parent, guardian, person in charge)	Employee contacting home (name of school official)	How verified
First				
Second				
Third				
Fourth				

2. Having thus been reported as a truant, the subject was again absent without valid excuse **ONE** or more days, to wit (per Education Code Section 48261):

Date(s) of absence(s)	Date(s) of verification	Person contacted	Employee contacting home	How verified

And was again reported as a truant to \_\_\_\_\_

Supervisor of Attendance

Date

Pursuant to *Education Code* Section 48262, a conference with a parent or guardian of the student and the student himself/herself was scheduled for \_\_\_\_\_ and the results were: \_\_\_\_\_

The parent conference was not conducted because \_\_\_\_\_

3. Subsequent to the above dates the subject was again absent from school without valid excuse **ONE** or more days, to wit (per *Education Code* Section 48262):

Date(s) of absence(s)	Date(s) of verification	Person contacted	Employee contacting home	How verified

And was again reported as a truant to \_\_\_\_\_ on \_\_\_\_\_  
Supervisor of Attendance Date

**III. Excessive absences: Parent(s)/guardian(s) have failed to send child to full-time day/continuation school, to wit**  
 (use attachments if necessary):

Date	Person contacted	By whom	Explanation for absences

Minor having been habitually truant or excessively absent, or both, referral made to SARB # \_\_\_\_\_  
 on \_\_\_\_\_. (*Education Code* sections 48263, 48291)

### School Attendance Review Board Findings

Date(s) of SARB meetings with minor, parent(s)/guardian(s): \_\_\_\_\_  
 SARB determined public and private services are insufficient or inappropriate **and/or** minor, parent(s)/guardian(s) or both failed to respond to directives or services provided as follows (*use attachments if necessary*):

In that the above situation exists, **should mediation be unsuccessful**, it is recommended that:

- ☐ Case be referred to Probation Department for filing of a petition pursuant to *Welfare and Institutions Code* Section 601 alleging minor a habitual truant per *Education Code* Section 48200, 48400, or 48402.
- ☐ A criminal complaint to be filed against \_\_\_\_\_  
Parent or Guardian  
 for failure to comply with:
  - ☐ *Education Code* sections 48200/48293 (Compulsory Full-time Day School)
  - ☐ *Education Code* sections 48450/48454 (Compulsory Continuation School)

Are you aware of prior or current Juvenile Court proceedings (*Welfare and Institutions Code* sections 300, 601, 602)? If yes, explain:

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Are you aware of prior or current prosecutions against the parent/guardian for *Education Code* violations? If yes, explain:

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I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

\_\_\_\_\_  
Signature of SARB Chairperson

\_\_\_\_\_  
Date



**Contact for mediation hearing and further information:**

\_\_\_\_\_  
School District Representative

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone

**NECESSARY FOR FILING**

**Certified copies of:**

- ☐ Minor's student attendance record (including legend)
- ☐ Record of contacts with minor and/or parent(s)/guardian(s), by whom, and explanation given, if any
- ☐ Notice to parents per *Education Code* Section 48260.5
- ☐ Efforts to hold a conference with parent(s) per *Education Code* Section 48262 and results thereof
- ☐ Record of SARB findings (including oral/written statements made by minor/parent(s)/guardian(s) and results of SARB referrals, if any)

**Witnesses:**

Name, address, and telephone number of:

1. Representative of Child Welfare and Attendance Office
2. SARB Representative
3. School employee who can identify minor
4. School employee(s) who contacted/attempted to contact minor/parents
5. Interpreter(s) used during proceedings
6. Parent(s)/guardian(s), if necessary, for *Welfare and Institutions Code* Section 601

## District Attorney Truancy Referral

**School District SARB**

Name of minor (surname first)	DOB	Age	Sex
Address (number/street/city/ZIP)			
School			Grade
Father/stepfather	DOB	Address	Telephone
Mother/stepmother	DOB	Address	Telephone
Guardian	DOB	Address	Telephone

**601.1 WELFARE AND INSTITUTIONS CODE, HABITUALLY TRUANT**Said minor was absent from school without valid excuse (per *Education Code* Section 48260)

(Or tardy for more than any 30-minute period without valid excuse):

Dates of Absences or Tardies	Parent/Guardian Contacted	Date of Contact	School Employee Contacting Parent/Guradian	Student Contacted (if applicable)	Date of Contact	School Employee Contacting Student	How Contact Was Made
1 <sup>st</sup>							
2 <sup>nd</sup>							
3 <sup>rd</sup>							
4 <sup>th</sup>							
5 <sup>th</sup>							
6 <sup>th</sup>							

Pursuant to *Education Code* Section 48262, a conference with the parent/guardian of the student and the student was scheduled for \_\_\_\_\_ and the results were:

The parent conference was not conducted because:

Date(s) of SARB meeting(s) with minor, parent(s)/guardian(s): \_\_\_\_\_

SARB determined that public and private services are insufficient or inappropriate AND minor/parent failed to respond to directives or services.

In that the above situation exists, it is requested that the case be referred to the District Attorney for filing of a petition/complaint.

Are you aware of prior Juvenile Court proceedings (*Welfare and Institutions Code* sections 300, 601, 602)?

If yes, explain: \_\_\_\_\_

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

\_\_\_\_\_  
Signature of Chairperson\_\_\_\_\_  
Date

[SARB Seal]

Contact for further information:

\_\_\_\_\_  
School District Representative\_\_\_\_\_  
Address\_\_\_\_\_  
Telephone

## Subpoena for SARB Hearing

Attorney or Party Without Attorney (Name and Address):		Telephone:	<b>FOR COURT USE ONLY</b>  <b>SCHOOL ATTENDANCE REVIEW BOARD</b>
Attorney for (name):			
Insert name of court, judicial district or branch court, if any, and post office and street address <b>SCHOOL ATTENDANCE REVIEW BOARD COURT ADDRESS CITY, STATE, ZIP</b>			
Title of Case:			<b>ALL FAMILY MEMBERS ARE TO ATTEND</b>
<div style="text-align: center;"> <b>Student</b>  <b>Parents</b> </div>			

## SUBPOENA (CRIMINAL OR JUVENILE)

Case number:

### ☐ DUCES TECUM

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (NAME):

- YOU ARE ORDERED TO APPEAR AS A WITNESS** in this action as follows unless you make a special agreement with the person named in Item 3:
  - Date: \_\_\_\_\_, 2003      Time:    a.m./p.m.      Dept.:      Div.:      Room:
  - Address:
- And you are
  - ☐ Ordered to appear in person.
  - ☐ Not required to appear in person if you produce the records described in the accompanying affidavit in compliance with *Evidence Code* sections 1560 and 1561.
  - ☐ Ordered to appear in person and to produce the records described in the accompanying affidavit. The personal attendance of the custodian or other qualified witness and the production of the original records is required by this subpoena. The procedure authorized pursuant to Subdivision (b) of sections 1560, 1561, and 1562 of the *Evidence Code* will not be deemed sufficient compliance with this subpoena.
- IF YOU HAVE ANY QUESTIONS ABOUT THE TIME OR DATE FOR YOU TO APPEAR, OR IF YOU WANT TO BE CERTAIN THAT YOUR PRESENCE IS REQUIRED, CONTACT THE FOLLOWING PERSON BEFORE THE DATE ON WHICH YOU ARE TO APPEAR:**

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_
- WITNESS FEES:** You may be entitled to witness fees, mileage, or both at the discretion of the District. For information contact the person named in item 3 AFTER your appearance.

**DISOBEYING A SUBPOENA MAY BE PUNISHED BY A FINE, IMPRISONMENT, OR BOTH. A WARRANT MAY BE ISSUED FOR AN ARREST FOR FAILURE TO APPEAR.**

For Court Use Only	Dated: _____	_____
School		Signature of Person Issuing Subpoena
Attendance		_____
Review		(Type or print name)
Board		<b>Chairperson</b>
		_____
		(Title)

Form adopted by Rule 982

SUBPOENA  
(CRIMINAL OR JUVENILE)

76S806C-CR 44 JC (1) (Rev. 7/80) PS

## School Site, Student, and Parent Agreement

Student's name		Grade	School
Date of birth	Parent's/guardian's name		
Student's address			Home telephone
Street	City	ZIP	

It is with complete understanding that I sign this agreement, knowing that further violations of school rules and regulations can result in a referral to the district School Attendance Review Board (SARB).

I agree to abide by the directions of the School Attendance Review Team (SART) as outlined below.

1. Attend school regularly and on time each day.
2. Abide by school rules and regulations.
3. Obey the directions of my teachers and administrators.
4. Complete my class assignments.
5. Develop a positive attitude about school.
6. Other

---

Student's signature

Date

I agree to abide by the directions of the School Attendance Review Team (SART) as outlined below.

1. Cooperate with school officials.
2. Ensure my (son/daughter)'s compliance with SART directives.
3. Comply with SART's assignments of specific parental responsibilities.
4. Notify the attendance office when my (son/daughter) violates agreement.
5. Obtain medical notes when my (son/daughter) is absent for more than one day.
6. Attend classes with my (son/daughter) after next incidence of truancy/misbehavior.
7. Pick up, or make arrangements to have picked up, my (son/daughter)'s homework if (he/she) will be out of school more than two days.
8. Bring my (son/daughter) to school daily and on time.
9. Talk with my (son/daughter) in positive terms about school.
10. Other

---

Parent's signature

Date

---

Principal/designee signature

Date

---

SART chairperson's signature

Date

## Summary of Parent(s) and Pupil Conference and Agreement

Date: \_\_\_\_\_

The School Attendance Review Board (SARB), having evaluated a referral by *(Name of school and district)* regarding *(Name of student)*, and having met in conference with the parent(s)/guardian(s) and pupil, believes that the pupil named above would benefit from a recommended program in order to improve his or her school attendance and/or school conduct.

Therefore, the SARB recommends and the pupil and parents/guardian agree to the following plan:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

I/we consent to the participation of our son/daughter under the agreement above, and I/we will cooperate with and support the program outlines. I/we further consent to the exchange of records between SARB and resources to which our son/daughter is referred.

Signed \_\_\_\_\_  
(Father or Guardian) (Date)

Signed \_\_\_\_\_  
(Mother or Guardian) (Date)

I have received a copy of this agreement and understand its terms and agree to comply with all the conditions.

Signed \_\_\_\_\_  
(Pupil) (Date)

**NOTE: Failure to comply with the above agreement may result in a request for legal action by the District Attorney's Office and/or Probation Department.**

Witness \_\_\_\_\_  
(SARB Chairperson) (Date)

White: Pupil/parents or guardians  
Canary: SARB file  
Pink: Referring school

## Student-Parent Agreement

Student's name		Grade	School
Date of birth	Parent's/guardian's name		
Student's address Street City ZIP			Home telephone

It is with complete understanding that I sign this, knowing that further violations of school rules and regulations can result in a referral to the \_\_\_\_\_ Probation Department and/or the \_\_\_\_\_ District Attorney.

### Student

- ☐ Attend all classes on time.
- ☐ Follow all school rules.
- ☐ Report to attendance office daily.
- ☐ Meet regularly with professional counselor.
- ☐ Take teacher-signed attendance card home for parent's signature and return it to the school office the next school day.
- ☐ Complete all class assignments.
- ☐ Take progress report home for parent signature and return report to the school office the next school day.
- ☐ Attend the homework help classes at \_\_\_\_\_ High School library after school.
- ☐ Other

### Parent

- ☐ Cooperate with school officials.
- ☐ Ensure that student attends school.
- ☐ Notify school when student is absent.
- ☐ Arrange for and keep counseling appointments for (son/daughter).
- ☐ Attend school with (son/daughter) as directed, if absences continue (*Education Code* sections 48900.1 and 48910).
- ☐ Attend parent conferences when requested.
- ☐ Excuse student only for valid medical reasons.
- ☐ Make a quiet place and provide necessary materials for your son/daughter to study.
- ☐ Other

---

 Probation Officer's Signature

---

 Date

---

 Telephone

---

 Student's Signature

---

 Date

---

 Parent/Guardian's Signature

---

 Date

---

 SARB Chairperson's Signature

---

 Date



## SARB Confirmation of Agreement Letter

Date \_\_\_\_\_

Dear (Parent[s]/guardian[s])\_\_\_\_\_:

I appreciate your attendance at the School Attendance Review Board (SARB) meeting on \_\_\_\_\_.

This letter reaffirms the agreement that you and your (son/daughter) signed in front of the SARB panel. (He/she) will be expected to follow each checked item on the agreement. If (he/she) fails to live up to this agreement, the school will request legal action to be forwarded to the \_\_\_\_\_ District Attorney's Office.

Your cooperation strongly reflects the concept that school is important and that you will follow through when working with your (son/daughter) and the school.

Sincerely,

Supervisor  
Child Welfare and Attendance

## SARB Congratulations Letter

Date \_\_\_\_\_

Dear (Parent[s]/guardian[s])\_\_\_\_\_:

Thank you for your continued support and follow-through with the agreement that you and your son/daughter, \_\_\_\_\_, signed in front of the School Attendance Review Board. \_\_\_\_\_ has followed each item on the agreement, and your cooperation in working with your son/daughter and the school has sent a strong signal that school is important and that you will follow through.

Please give \_\_\_\_\_ our congratulations on his/her educational success so far. The attendance agreement will remain in effect through \_\_\_\_\_'s graduation. We are pleased with his/her progress and hope both you and \_\_\_\_\_ have benefitted from this agreement.

You are welcome to contact our office at any time that you feel you need help or support.

Sincerely,

Chairperson  
School Attendance Review Board

cc: Principal

## SARB Identification Stickers

<div style="border: 1px solid black; padding: 5px; margin: 0 auto; width: 80%;"> <div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <span>SCHOOL</span> <span>BOARD</span> </div> <div style="text-align: center; font-size: 2em; font-weight: bold;">             ATTENDANCE REVIEW              S<sub>A</sub> / R<sub>B</sub> </div> <div style="font-size: 0.8em;">DISTRICT SCHOOL</div> </div>	<div style="margin-bottom: 5px;">_____</div> <div style="margin-bottom: 5px;">Name of Student</div> <div style="margin-bottom: 5px;">was seen on _____</div> <div style="margin-bottom: 5px;">by _____</div> <div style="margin-bottom: 5px;">_____</div> <div style="margin-bottom: 5px;">Signature of School Official</div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">_____</div> <div style="width: 45%;">_____</div> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">Phone</div> <div style="width: 45%;">Date</div> </div>
--	--

<i>School Attendance Review Board (SARB) No.</i>	<i>Referral</i>
Student Name	
SARB Date	
School District	
County	
Contact	
Phone (    )	
<i>XYZ County SARB</i>	

<div style="border: 1px solid black; padding: 10px; margin: 0 auto; width: 80%;"> <div style="font-size: 1.5em; font-weight: bold; line-height: 1.2;">             School Attendance Review Board           </div> </div>	<div style="margin-bottom: 5px;">_____</div> <div style="margin-bottom: 5px;">was seen on _____</div> <div style="margin-bottom: 5px;">by _____</div> <div style="margin-bottom: 5px;">_____</div> <div style="margin-bottom: 5px;">Signature of School Official</div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">_____</div> <div style="width: 45%;">_____</div> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">Phone</div> <div style="width: 45%;">Date</div> </div>
---	---

State SARB recommends that stickers be reproduced on bright fluorescent paper for easy recognition and that the name of the district and county be included for easy reference.

Petition to the Court to Suspend or Delay Pursuant to *Vehicle Code*

1 SUPERIOR/MUNICIPAL COURT OF THE STATE OF CALIFORNIA  
 2 FOR THE COUNTY OF \_\_\_\_\_  
 3 JUVENILE TRAFFIC COURT  
 4

5 In the Matter of: ) No.  
 6 ) PETITION  
 7 ) To Suspend or Delay  
 8 ) Pursuant *Vehicle Code*  
 9 A minor. ) Section 13202.7(a)  
 10 (A person under the age of 18 ) Hrg. Date \_\_\_\_\_  
 11 but 13 years of age or older) ) Hrg. Time \_\_\_\_\_  
 12

13 Petitioner alleges as follows:

14 1. The Petitioner is an employee of the \_\_\_\_\_ School  
 15 District.

16 2. The minor named above is \_\_\_\_\_ years of age  
 17 and is subject to Section 48200 of the California *Education Code*, the Compulsory  
 18 Education Law.

19 3. The residency of the minor's parent, legal guardian, or other person having control  
 20 or charge of the minor is in the \_\_\_\_\_ School  
 21 District (*Education Code* Section 48200); or the minor complies with the residency  
 22 requirements for attendance in the \_\_\_\_\_ School  
 23 District (*Education Code* Section 48204).

24 4. On \_\_\_\_\_ the minor was deemed a habitual truant within the  
 25 meaning of Section 48262 of the *Education Code* by a representative of the  
 26 \_\_\_\_\_ School District. Prior to such  
 27 action the minor had been deemed to be a truant three or more times and a representative  
 28 of the \_\_\_\_\_ School District had made a  
 29 conscientious effort to hold at least one conference with a parent or guardian.

30 5. The names and residences of the parents or guardians of the minor and the  
 31 residence of the minor known to Petitioner are:

32 \_\_\_\_\_  
 33 \_\_\_\_\_  
 34 \_\_\_\_\_  
 35 \_\_\_\_\_  
 36 \_\_\_\_\_  
 37 \_\_\_\_\_

38 Petitioner requests:

39 A. That this matter be calendared by the above entitled Court to be heard in  
 40 Traffic Court located at \_\_\_\_\_ on the  
 41 date and at the time noted in the caption of this Petition;

1 B. That a copy of this Petition be sent to the parties after having been filed by the  
2 Court; and

3 C. That the Court order the minor's driving privilege be suspended for one year,  
4 or be delayed for one year subsequent to the time the minor becomes legally eligible  
5 to drive if the minor does not yet have the privilege to drive.  
6

7 I declare under penalty of perjury that the foregoing is true and correct.  
8

9 DATED:  
10  
11

---

School Attendance Review Board

## District Summary Submitted to County SARB

SARB name \_\_\_\_\_

Name of SARB chairperson \_\_\_\_\_

Telephone \_\_\_\_\_

District \_\_\_\_\_

Telephone \_\_\_\_\_

Address \_\_\_\_\_

Local SARB Data, 20\_\_\_\_–20\_\_\_\_

	K–6	7–8	9–12	Totals
District's enrollment				
Number of cases referred to SARB				
Number of SARB cases referred to probation department or district attorney's office				
Number of referrals handled by the courts				
Number of students referred to SARB 2–3 times in current year				
Number of students referred to SARB 4 or more times in current year				
Number of SARB meetings conducted during the current school year	Dates of SARB meetings			

Recommendations or suggestions for improving the county or local SARB process (please be specific with examples):

\_\_\_\_\_

Date report was presented to district governing board \_\_\_\_\_

Signature of SARB Chairperson \_\_\_\_\_ Date \_\_\_\_\_

Signature of District Superintendent \_\_\_\_\_ Date \_\_\_\_\_

## District/County SARB Annual Summary Report

SARB Name:

19920\_\_-19920\_\_

District:

Address:

SARB Chairperson:

Phone:

Number of Cases Referred to SARB				Student Returns to School After SARB Conference		Legal Requests				Referrals to Agencies			
Grade Level	Sex		Irregular Attendance	Habitual Truant	Behavior Referral	SARB Conference	District Attorney Truancy Mediation		Parent	Employ. Services	Health Services	Alt. Ed. Services	
	M	F	Total				Minor	WIC					
K								WIC 654					
1								WIC 300					
2								WIC 601					
3								EC 48291					
4								EC 48452					
5													
6													
7													
8													
Sub-Total													
9													
10													
11													
12													
Sub-Total													
Total													
Cont. Ed.													
Total													

How many cases had absences of over 100 days?

\*EC 48291: Referral to SARB; criminal complaint

\*EC 48452: Criminal complaint against the parent

## Letter to Parent Regarding Home Schooling

(Issue on district letterhead.)

Date

Name

Address

City, State, ZIP

Dear Parent:

This letter explains alternatives to the comprehensive public school classroom and our approach to ensuring that youths attend educational programs that will prepare them for their future.

The California compulsory education law requires everyone between the ages of 6 and 18 to attend school, except 16- and 17-year-old teenagers who have graduated from high school or have passed the *California High School Proficiency Examination (CHSPE)*. However, one legal alternative to the comprehensive public school classroom is to enroll your child in an independent study program through the local public school system or a charter school. No teaching credential is required of parents who enroll children in an independent study program offered by a public school. Private tutors, whether they are parents or not, must hold a valid, appropriate credential for the grade level being taught and must provide instruction in all the branches of study required by the public schools at least three hours per day between 8:00 a.m. and 4:00 p.m. for 175 days per calendar year.

Another legal exemption from public education would be to enroll your child in a private full-time day school. The law requires private schools to file a Private School Affidavit, and the California Department of Education maintains a directory of private schools in the state.

If the local public school district or a charter school does not provide an alternative to classroom instruction, you may contact your county office of education to determine which suitable programs are offered in your area.

This district operates a School Attendance Review Board (SARB) composed of representatives from various youth-serving agencies that can meet with you and your child to collaboratively recommend alternative solutions or identify resources to resolve problems related to school attendance. As the supervisor of attendance for this area, I have the responsibility of ensuring that all compulsory school-age children are in attendance at a public school or are legally exempt. I also verify that the local private schools have complied with the provisions of the *Education Code* required by the annual filing of the Private School Affidavit. Please call me if you have further questions about the compulsory attendance laws.

Sincerely,

[Typed Name]

Supervisor of Attendance



## COMMUNITY RESOURCES

The purpose of SARB is to enhance the enforcement of compulsory education laws and to divert students with school attendance or behavior problems from the juvenile justice system. SARB members represent many agencies, allowing for many perspectives in reaching SARB goals. Thus, SARB has the unique ability to marshal and coordinate many available community resources to deal with student attendance and behavior problems. These resources vary from community to community but generally can be categorized according to the following needs:

- Child abuse prevention and intervention
- Counseling and mental health services and programs
- Drug and alcohol abuse prevention and intervention
- Assistance for the homeless
- Youth groups and activities
- Services for high-risk youths
- Teenage pregnancy prevention and services
- Gang prevention and intervention

School and SARB personnel depend on accessibility of community resources when working to resolve school attendance problems. Maintaining a log or handbook of resources provides for easy access to needed information. School and SARB members may need to pool several sources of information to compile into one comprehensive guide. Or they may have access to a central resource agency. A guide should contain, at a minimum, the name of each agency and its address, telephone number, description of services, and the name of a contact person.



## LEGISLATIVE FOUNDATIONS

The state, county, and local School Attendance Review Boards are composed of members who support SARB concepts. The members, specified in *Education Code* sections 48321 and 48325, are committed to providing leadership to keep pupils in school, providing them with appropriate educational opportunities, and helping them reach their full potential.

The state SARB is defined by the following text from the *Education Code*:

48325. State board; legislative findings, declarations, and intent; coordination and administration; recommendations and proposals

- (a) The Legislature finds and declares that statewide policy coordination and personnel training with respect to county attendance review boards will greatly facilitate the achievement of the goals expressed in section 48320. It is therefore the intent of the Legislature in enacting this section to do the following:
  - (1) Encourage the cooperation, coordination, and development of strategies to support county school attendance review boards in carrying out their responsibilities to establish local school attendance review boards as necessary. These strategies may include, but need not be limited to, plans for the training of school attendance review board personnel.
  - (2) Divert pupils with serious attendance and behavioral problems from the juvenile justice system to agencies more directly related to the state public school system by developing a system for gathering and dispensing information on successful community-based and school-based programs.
  - (3) Reduce duplication of the services of state and county agencies in serving high-risk youth, including youth with school attendance or behavioral problems.
  - (4) Reduce the number of dropouts in the state public education system by promoting interagency cooperation among those agencies which have as their goals preventing students from dropping out, and increasing the holding power of the public schools.
- (b) The Superintendent of Public Instruction shall coordinate and administer a state school attendance review board, as follows:
  - (1) On or before January 31 of each year, the superintendent shall extend invitations of participation to representatives of appropriate groups throughout the state, including, but not limited to, representatives of school districts, parent groups, county probation departments, county welfare departments, county superintendents of schools, law enforcement agencies, community-based youth service centers, school guidance personnel, child welfare and attendance personnel, and state associations having an interest in youth with school attendance or behavioral problems. The superintendent shall also request the participation of representatives from interested state agencies or departments, including, but not limited to, the Department of the California Youth Authority, the Department of Justice, the State Department of Social Services, and the Office of Criminal Justice Planning. To the extent feasible, members of the board shall include persons who are currently members of county or local school attendance review boards. For every year after the first year that the board is convened, the purpose of the invitations of participation shall be to inform appropriate groups, state agencies, and departments of the purposes of the board, to fill vacancies, and to supplement the membership of the board as necessary.

- (2) The superintendent shall prescribe an appropriate deadline for acceptance of invitations of participation as a member of the state school attendance review board for that particular year, and the invitations accepted on or before the deadline shall constitute the board for that year, except that the board shall also include a representative of the State Department of Education designated by the director of that department. The representative of the State Department of Education shall be the chairperson of the board.
- (3) The superintendent shall convene the board at least four times during the year. At its first meeting, the board shall elect any officers, other than its chairperson, as it deems necessary. Members of the board shall serve without compensation and without reimbursement of travel and living expenses.
- (4) The State Department of Education shall provide assistance as requested by the Superintendent of Public Instruction in order to implement the provisions of this section.
- (c) The state school attendance review board shall make recommendations annually to the Superintendent of Public Instruction, and to state agencies as deemed appropriate, regarding the needs and services provided to high-risk youth, including youth with school attendance or behavioral problems, in the state public schools, and shall propose uniform guidelines or other means to attain the goals stated in subdivision (a).

The county SARB is defined by the following *Education Code* sections:

48321. County and local school attendance boards; creation, membership, and powers

- (a) A county school attendance review board may be established in each county. The county school attendance review board, if established, shall include, but not be limited to, a parent and representatives of (1) school districts, (2) the county probation department, (3) the county welfare department, (4) the county superintendent of schools, (5) law enforcement agencies, (6) community-based youth service centers, (7) school guidance personnel, and (8) child welfare and attendance personnel.

Where a county school attendance review board exists, the county superintendent of schools shall, at the beginning of each school year, convene a meeting of the county school attendance review board for the purpose of adopting plans to promote interagency and community cooperation and to reduce the duplication of services provided to youth who have serious school attendance and behavior problems.

- (b) Local school attendance review boards may include, but need not be limited to, a parent and representatives of (1) school districts, (2) the county probation department, (3) the county welfare department, (4) the county superintendent of schools, (5) law enforcement agencies, (6) community-based youth service centers, and (7) school guidance personnel. Other persons or group representatives shall be appointed by the county board of education.
- (c) The county school attendance review board may elect pursuant to regulations adopted pursuant to Section 48324, one member as chairman with responsibility for coordinating services of the county school attendance review board.
- (d) The county school attendance review board may provide for the establishment of local school attendance review boards in any number as shall be necessary to carry out the intent of this article.
- (e) In any county in which there is no county school attendance review board, school district governing boards may elect to establish a local school attendance review board, which shall operate in the same manner and have the same authority as a county school attendance review board.

- (f) The county school attendance review board may provide consultant services to, and coordinate activities of, local school attendance review boards in meeting the special needs of pupils with school attendance or school behavior problems.
- (g) When the county school attendance review board determines that the needs of the pupils as defined in this article can best be served by a single board, the county school attendance review board may then serve as the school attendance review board for all pupils in the county or, upon the request of any school district in the county, the county school attendance review board may serve as the school attendance review board for pupils of that district.
- (h) Nothing in this article is intended to prohibit any agreement on the part of counties to provide such services on a regional basis.

#### 48322. Community resources

The county school attendance review board may encourage local school attendance review boards to maintain continuing inventory of community resources, including alternative educational programs, and to make recommendations for the improvement of such resources and programs or for the creation of new resources and programs where none exist.

#### 48323. Powers of board participants

Each of the departments or agencies required to participate in school attendance review boards shall assign personnel to represent the department or agency on a continuing basis in accordance with the intent of this article. The duties, obligations, or responsibilities imposed on local governmental entities by this act are such that the related costs are incurred as part of their normal operating procedures. The minor costs of such services shall be borne by each agency or department and each or all of the participants may apply for and utilize state or federal funds as may be available.

#### 48324. Rules and regulations

The county school attendance review board shall adopt such rules and regulations not inconsistent with law, as are necessary for its own government and to enable it to carry out the provisions of this article. The rules and regulations shall be binding upon the local school attendance review boards which are established pursuant to subdivision (d) Section 49321.

#### 48290. Investigation of complaints

The governing board of any school district, shall, on the complaint of any person, make full and impartial investigation of all charges against any parent, guardian or any other person having control or charge of any child, for violation of any provisions of this chapter.



## Compulsory Attendance Laws (*Education Code Excerpts*)

### 48200. Children between ages 6 and 18 years

Each person between the ages of 6 and 18 years not exempted under the provision of this chapter or Chapter 3 (commencing with Section 48400) is subject to compulsory full-time education. Each person subject to compulsory full-time education and each person subject to compulsory continuation education not exempted under the provisions of Chapter 3 (commencing with Section 48400) shall attend the public full-time day school or continuation school or classes for the full time designated as the length of the school day by the governing board of the school district in which the residency of either the parent or legal guardian is located and each parent, guardian, or other person having control or charge of the pupil shall send the pupil to the public full-time day school or continuation school or classes for the full-time designated as the length of the school day by the governing board of the school district in which the residence of either the parent or legal guardian is located.

Unless otherwise provided for in the code, a pupil shall not be enrolled for less than the minimum school day established by law.

(Note: Residency, for the purpose of attendance in the public schools, is determined by the *Welf. & Inst. Code* § 17.1.)

### 48260. Definition

Any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without valid excuse for three days in one school year or tardy or absent for more than 30 minutes during the school day without valid excuse on three occasions in one school year, or any combination thereof, is a truant and shall be reported to the district's attendance supervisor or to the superintendent of the school district.

### 48261. Subsequent report of truancy

Any pupil who has once been reported as a truant and who is again absent from school without a valid excuse one or more days, or tardy on one or more days, shall again be reported as a truant to the attendance supervisor or the superintendent of the district.

### 48262. Habitual truant

Any pupil is deemed an habitual truant who has been reported as a truant three or more times per school year, provided that no pupil shall be deemed an habitual truant unless an appropriate district officer or employee has made a conscientious effort to hold at least one conference with a parent or guardian of the pupil and the pupil himself, after the filing of either of the reports required by Section 48260 or Section 48261.

### 48263. Referral to attendance review board or probation office; notice to district attorney or probation officer participating in truancy mediation program

If any minor pupil in any district of a county is an habitual truant, or is irregular in attendance at school, as defined in this article, or is habitually insubordinate or disorderly during attendance at school, the pupil may be referred to a school attendance review board or to the probation department for services of the probation department.

## Hearsay Evidence

### (Evidence Code Excerpts)

#### 1200. The hearsay rule

- (a) “Hearsay evidence” is evidence of a statement that was made other than by a witness while testifying at the hearing and that is offered to prove the truth of the matter stated.
- (b) Except as provided by law, hearsay evidence is inadmissible.
- (c) This section shall be known and may be cited as the hearsay rule.

#### 1201. Multiple hearsay

A statement within the scope of an exception to the hearsay rule is not inadmissible on the ground that the evidence of such statement is hearsay evidence if such hearsay evidence consists of one or more statements each of which meets the requirements of an exception to the hearsay rule.

#### 1202. Credibility of hearsay declarant

Evidence of a statement or other conduct by a declarant that is inconsistent with a statement by such declarant received in evidence as hearsay evidence is not inadmissible for the purpose of attacking the credibility of the declarant though he is not given and has not had an opportunity to explain or to deny such inconsistent statement or other conduct. Any other evidence offered to attack or support the credibility of the declarant is admissible if it would have been admissible had the declarant been a witness at the hearing. For the purposes of this section, the deponent of a deposition taken in the action in which it is offered shall be deemed to be a hearsay declarant.

#### 1203. Cross-examination of hearsay declarant

- (a) The declarant of a statement that is admitted as hearsay evidence may be called and examined by any adverse party as if under cross-examination concerning the statement.
- (b) This section is not applicable if the declarant is (1) a party, (2) a person identified with a party within the meaning of subdivision (d) of section 776, or (3) a witness who has testified in the action concerning the subject matter of the statement.
- (c) This section is not applicable if the statement is one described in Article 1 (commencing with Section 1220), Article 3 (commencing with Section 1235), or Article 10 (commencing with Section 1300) of Chapter 2 of this division.
- (d) A statement that is otherwise admissible as hearsay evidence is not made inadmissible by this section because the declarant who made the statement is unavailable for examination pursuant to this section.

#### 1203.1. Hearsay statements admissible at preliminary hearing

Section 1203 is not applicable if the hearsay statement is offered at a preliminary examination, as provided in Section 872 of the *Penal Code*.

#### 1204. Hearsay statement offered against criminal defendant

A statement that is otherwise admissible as hearsay evidence is inadmissible against the defendant in a criminal action if the statement was made, either by the defendant or by another, under such circumstances

that it is inadmissible against the defendant under the Constitution of the United States or the State of California.

1205. No implied repeal

Nothing in this division shall be construed to repeal by implication any other statute relating to hearsay evidence.

1220. Admission of party

Evidence of a statement is not made inadmissible by the hearsay rule when offered against the declarant in an action to which he is a party in either his individual or representative capacity, regardless of whether the statement was made in his individual or representative capacity.

1221. Adoptive admission

Evidence of a statement offered against a party is not made inadmissible by the hearsay rule if the statement is one of which the party, with knowledge of the content thereof, has by words or other conduct manifested his adoption of his belief in its truth.

1222. Authorized admission

Evidence of a statement offered against a party is not made inadmissible by the hearsay rule if:

- (a) The statement was made by a person authorized by the party to make a statement or statements for him concerning the subject matter of the statement; and
- (b) The evidence is offered either after admission of evidence sufficient to sustain a finding of such authority or, in the court's discretion as to the order of proof, subject to the admission of such evidence.



## Business and Official Records (*Evidence Code Excerpts*)

Districts may use provisions in the *Evidence Code* to simplify and expedite the process of presenting a student's attendance or behavior record to the juvenile court. When such a record has been identified as a business record under the provisions of the *Evidence Code*, a single person from the district may present all school records of the student, regardless of the number of persons creating the records. Without designation of the record as a "business record," each person creating the student's attendance or behavior record would need to be present in juvenile court to identify his or her role in record keeping.

### 1270. "A business"

As used in this article, "a business" includes every kind of business, governmental activity, profession, occupation, calling, or operation of institutions, whether carried on for profit or not.

### 1271. Business record

Evidence of a writing made as a record of an act, condition, or event is not made inadmissible by the hearsay rule when offered to prove the act, condition, or event if:

- (a) The writing was made in the regular course of a business;
- (b) The writing was made at or near the time of the act, condition, or event;
- (c) The custodian or other qualified witness testifies to its identity and the mode of its preparation; and
- (d) The sources of information and method and time of preparation were such as to indicate its trustworthiness.

### 1272. Absence of entry in business records

Evidence of the absence from the records of a business of a record of an asserted act, condition, or event is not made inadmissible by the hearsay rule when offered to prove the nonoccurrence of the act or event, or the nonexistence of the condition, if:

- (a) It was the regular course of that business to make records of all such acts, conditions, or events at or near the time of the act, condition, or event and to preserve them; and
- (b) The sources of information and method and time of preparation of the records of that business were such that the absence of a record of an act, condition, or event is a trustworthy indication that the act or event did not occur or the condition did not exist.

### 1280. Record by public employee

Evidence of a writing made as a record of an act, condition, or event is not made inadmissible by the hearsay rule when offered to prove the act, condition, or event if:

- (a) The writing was made by and within the scope of duty of a public employee;
- (b) The writing was made at or near the time of the act, condition, or event; and
- (c) The sources of information and method and time of preparation were such as to indicate its trustworthiness.





## Pupil Exemptions

### **(Education Code Excerpts)**

#### 48220. Classes of children exempted

The classes of children described in this article shall be exempted by the proper school authorities from the requirements of attendance upon a public full-time day school.

#### 48222. Attendance in private school

Children who are being instructed in a private full-time day school by persons capable of teaching shall be exempted. Such school shall, except under the circumstances described in Section 30, be taught in the English language and shall offer instruction in the several branches of study required to be taught in the public schools of the state. The attendance of the pupils shall be kept by private school authorities in a register, and the record of attendance shall indicate clearly every absence of the pupil from school from a half day or more during each day that school is maintained during the year.

Exemptions under this section shall be valid only after verification by the attendance supervisor of the district, or other person designated by the board of education, that the private school has complied with the provisions of Section 33190 requiring the annual filing by the owner or other head of a private school of an affidavit or statement of prescribed information with the Superintendent of Public Instruction. The verification required by this section shall not be construed as an evaluation, recognition, approval, or endorsement of any private school or course.

#### 48223. Mentally gifted children

Children who are mentally gifted and who are being instructed in a private full-time day school by persons capable of teaching, where all or part of the courses of instruction required to be taught in the public schools of this state is taught in a foreign language with not less than 50 percent of total daily instructional time taught in the English language, shall be exempted. The attendance of the pupils shall be kept pursuant to Section 48222.

#### 48224. Instruction by tutor

Children not attending a private, full-time, day school and who are being instructed in study and recitation for at least three hours a day for 175 days each calendar year by a private tutor or other person in the several branches of study required to be taught in the public schools of this state and in the English language shall be exempted. The tutor or other person shall hold a valid state credential for the grade taught. The instruction shall be offered between the hours of 8 o'clock a.m. and 4 o'clock p.m.

#### 48225. Contracts to secure tutoring for children working in entertainment or allied industries

The governing board of any school district which has children holding work permits to work temporarily in the entertainment or allied industries who are exempted from attending public full-time day school under the provisions of this article, or a county superintendent of schools, may contract with any person, firm or corporation responsible for the education of any children, so employed or acting on behalf thereof, to provide eligibility lists and placement services for qualified teaching and other necessary personnel for the tutoring of such children while so employed. Such personnel shall not for these purposes be deemed public employees. The contract shall require payment of all costs of the school district, or the county superintendent of schools in providing the lists or services.

#### 48230. Compulsory part-time classes

Children who hold permits to work shall be exempted, but such children shall be subject to compulsory attendance upon part-time classes.

#### 48231. Entrance into attendance area within ten schooldays of end of school term

Notwithstanding Section 48201, pupils between 12 and 18 years of age who enter an attendance area from another state within 10 schooldays before the end of the school term during which such entrance occurs are exempt for the remainder of the school term.

#### 48232. Leave of absence of pupil of 15; conditions; review and report on program

Notwithstanding any other provision of law, a child who will be 15 years old at the time a leave of absence is to begin may take a leave of absence from school for a period of up to one semester, if all of the following conditions are satisfied:

- (a) The school district governing board adopts a written policy to allow student leaves of absence consistent with this section.
- (b) The purpose of the leave is supervised travel, study, training, or work not available to the student under another education option.
- (c) A written agreement is entered into that is signed by the child's parent or guardian, the principal or administrative officer of the school which the child would otherwise attend, a classroom teacher familiar with the child's academic progress selected by the child, and the district supervisor of child welfare and attendance, and that provides for all of the following:
  - (1) The purpose of the leave.
  - (2) The length of time the child will be on leave.
  - (3) A meeting between, or contact with, the child and a school official designated in the agreement at least once a month while the child is on leave.
- (d) The child shall be entitled to return to school at any time. No child who takes a leave of absence shall be penalized from completing his or her academic requirements within a time period equal to that of classmates who did not take a leave of absence, plus a period of time equal to the leave of absence. However, when a child re-enrolls at any time other than the beginning of a semester, the school shall not be required to give makeup sessions during that semester for the classes that the child has missed.
- (e) A leave of absence may be extended for an additional semester upon approval by all parties to the written agreement and the local school attendance review board.
- (f) No leave of absence may be taken which would continue past the end of the school year in which the leave is taken.
- (g) If the student does not contact the designated school official as stipulated in the written agreement, the leave of absence shall be nullified.  
Any party to the written agreement may nullify the agreement for cause at any time.
- (h) No more than 1 percent of the students enrolled and in attendance at each school shall be permitted to take a leave of absence during each academic year.

#### 48416. Leave of absence; pupils between ages 16 and 18; conditions

Notwithstanding any other provision of law, a child who, at the time a leave of absence is to begin, will be between the ages of 16 and 18, inclusive, may take a leave of absence from compulsory continuation

education classes or, if exempted pursuant to subdivision (b) of Section 48410, from the school which the child attends, for a period of up to two semesters, if all the following conditions are satisfied:

- (a) The school district governing board adopts a written policy to allow student leaves of absence consistent with this section.
- (b) The purpose of the leave is supervised travel, study, training, or work not available to the student under another education option.
- (c) A written agreement is entered into which is signed by the child, the child's parent or guardian, the principal or administrative officer of the school which the child would otherwise attend, a classroom teacher familiar with the child's academic progress selected by the child, and the district's supervisor of child welfare and attendance, and that provides for all of the following:
  - (1) The purpose of the leave.
  - (2) The length of time the child will be on leave.
  - (3) A meeting between or contact with the child and a school official designated in the agreement at least once a month while the child is on leave.
  - (4) A statement incorporating the provisions contained in subdivision (b).
- (d) The child shall be entitled to return to school at any time. No child who takes a leave of absence shall be penalized from completing his or her academic requirements within a time period equal to that of classmates who did not take a leave of absence, plus a period of time equal to the leave of absence. However, when a child re-enrolls at any time other than the beginning of a semester, the school shall not be required to give makeup sessions during that semester for the classes that the child has missed.
- (e) A leave of absence may be extended for an additional semester upon approval by all parties to the written agreement and the local school attendance review board.
- (f) No leave of absence may be taken which would continue past the end of the school year in which the leave is taken.
- (g) If the student does not contact the designated school official as stipulated in the written agreement, the leave of absence shall be nullified.



## Case Management Systems

Two school-site groups provide individualized services to students who experience academic, attendance, and behavior problems: Student Study Teams and School Attendance Review Teams. The student study team (SST) process is based on a specific problem-solving model for regular education students identified by the California Department of Education in 1983. The SST model is unique in that it includes school staff, parents, and the student. The SST is structured for effectiveness and efficiency and uses a “group memory” to record the essence of each meeting. It maximizes school and community resources and serves as a resource for personal growth and staff development for the team.

The SST process is sequenced as follows:

- The student’s strengths are discussed so as to empower the student to change.
- The areas of concern are objectively identified in a manner which acknowledges differences of perception.
- All relevant known information is presented. Any questions left unanswered are recorded for future inquiry.
- SST members brainstorm all possible solutions and list the solutions in order of priority for action plans. The action plans specify skills to be developed.
- The SST process specifies which persons will be responsible for implementing the action plan and the timelines for completing the actions.
- The SST process specifies a follow-up date for appreciation of progress.

The School Attendance Review Team (SART) process is based on the student study team model but specifically addresses the attendance and behavior problems. Each school site may elect to utilize the student attendance review team process rather than the student study team. If the school elects to do this, the process for dealing with attendance and/or behavioral problems would be the same.



## Sample Attendance Records

### Petition to the District Attorney

Student:	Wally Doe	Parent:	Mrs. Jane Doe
Sex:	Male	Relation:	Mother
D.O.B.:	12/10/xx	CA Driver's License:	A00000000
Address:	60 N. Park Road	Address:	60 N. Park Road
City, Zip:	Anywhere, CA 90000	City, Zip:	Anywhere, CA 90000

Wally Doe was enrolled in Bart Elementary School on September 5, 20\_\_\_. His first date of attendance was also September 5, 20\_\_\_.

Out of a possible \_\_\_ days, Wally was in attendance \_\_\_ days. He was in nonattendance for a total of 148 days, with 5 days of excused absences and 143 days of unexcused absences.

Dates of Excused Absences	Dates of Unexcused, Approved Absences	Dates of Unexcused, Unapproved Absences



## Sample Documentation Letter

### Petition to the District Attorney

May 30, 20\_\_

Mrs. Jane Doe  
60 North Park Road  
Anywhere, CA 90000

RE: Wally Doe  
D.O.B.: 12/10/93  
GRADE: 3  
SCHOOL: Bart Elementary

Dear Mrs. Doe:

This letter summarizes the meeting we had on May 17, 20\_\_, at 11:00 a.m. We discussed the concerns regarding your son's attendance problem, especially the most recent unexcused absences of 59 days. You stated at this meeting that it was your preference that Wally remain at home to watch cartoons rather than to attend school.

Wally needs a full and uninterrupted education. Your action to keep him out of school interrupts his education and violates *Education Code* Section 48200, which requires compulsory full-time education. For your information, I have attached a copy of that section of the *Education Code*.

By law, Wally must attend school on a regular and ongoing basis. The XYZ Unified School District and Bart Elementary School have exhausted, over a two-year period, all efforts to persuade Wally to attend school.

As I have stated to you, if Wally's attendance does not measurably improve, it is my duty as Supervisor of Child Welfare and Attendance Services to initiate the procedures for filing this case with the District Attorney's Office.

If you have any questions or concerns, please feel free to contact my office at 000-0000.

Sincerely,

Horace Greeley, Supervisor  
Child Welfare and Attendance Services



## Sample Case History

### Petition to the District Attorney

RE: Wally Doe  
D.O.B.: 12/10/93  
GRADE: 3  
SCHOOL: Bart Elementary

**April 1, 20\_\_, 9:00 a.m.**

Mr. Greeley: Contacted Mrs. Jane Doe by phone. She said Wally cannot and would not come to school because of a Daffy Duck film festival.

**April 3, 20\_\_, 9:15 a.m.**

Mr. Greeley: Contacted Mrs. Doe by telephone; she said Wally was ill; told her Wally must bring doctor's note to school when he returns; says Wally is suffering from heart failure.

**April 13, 20\_\_, 9:00 a.m.**

Mr. Greeley: Contacted Mrs. Doe by telephone; said Wally still under doctor's care for athlete's foot and asked me why I was hounding her and her son. I explained that I would expect him tomorrow.

**April 14, 20\_\_, 3:00 p.m.**

Wally attended first 2 hours of school, absent for remainder of day. No answer of home phone.  
Contact Person

**April 15, 20\_\_, 9:00 a.m.**

Mr. Greeley: Met Wally in front of office, said his mother took him from school to watch younger sister while she shopped.

**April 15, 20\_\_, 2:00 p.m.**

Mr. Greeley: Contacted Mrs. Doe by phone. Asked if Wally was ill. Mother said he caught his sister's chicken pox and was staying at home in a darkened room to save his eyesight.

**April 16, 20\_\_, 11:25 a.m.**

Mrs. Comfort: Mrs. Doe came to office and accused office staff of spying on her to report her to ex-husband and his wife. Said Wally was afraid to come to school because Mr. Daniels "always asks him if his mother is home alone while he is at school." I asked Mrs. Doe if she would wait for Mr. Daniels to come in from yard duty. Mrs. Doe sat in a large office chair which broke. Mrs. Doe said it was all "a plot to make her look like a fool" and she further expressed great displeasure with the school and Mr. Daniels.

**April 16, 20\_\_, 11:35 a.m.**

Mr. Greeley: Contacted Wally at home. He said his mother didn't want him to go to school until the school district agreed to get rid of the classrooms and the cafeteria. He said he would really like to come to school

because the rooms were so much cleaner than the living room and he gets headaches from the loud music on TV. Conversation was interrupted by Mrs. Doe; when she grabbed the phone, I overheard her conversation to Wally: "You little creep. I'll teach you to talk behind my back, you . . ." The phone was disconnected, and I was unsuccessful with my attempts to reestablish contact.

**April 16, 20\_\_, 4:00 p.m.**

Wally Doe called office and talked to Mrs. Comfort and Mr. Daniels. Said he was OK, "She just yells a lot, and I'll be back tomorrow." He said that he really likes school, but that his mother prefers that he stay in his room and watch cartoons and General Hospital and "learn about life."

**April 17, 20\_\_, 9:15 a.m.**

Wally in school all day.

**April 20, 20\_\_, 9:15 a.m.**

Mr. Greeley: Contacted Mrs. Doe by phone. Said Wally wasn't coming to school because his science project wasn't done. Explained her responsibility to have Wally attend on a regular basis. Mrs. Doe told me to mind my own business and that Wally was watching Mr. Rogers to get his assignment.

**April 27, 20\_\_, 11:00 a.m.**

Mr. Greeley and Miss Krumm: Home visit. Mrs. Doe came to the door and said Wally was in the hospital; but Wally came to door in pajamas, said he just got up. Wally asked if he could come to school with G & K. Mother slammed door yelling, "This ain't none of your business. Cartoons were good enough for his mother and they're good enough for him. He'll never learn about real life from school!"

**May 1, 20\_\_, 9:30 a.m.**

SARB meeting on Wally Doe. Following meeting, Mr. Greeley called Mrs. Doe by phone. Gave verbal explanation and requirements of the law.

**May 30, 20\_\_, 9:00 a.m.**

Mr. Greeley: I sent Mrs. Doe an ultimatum notice, explaining that I would turn her son's case over to the County SARB if Wally did not appear in school the next day.

**May 31, 20\_\_, 9:00 a.m.**

Mr. Greeley: Contacted Mrs. Doe by phone. She said letter arrived in morning mail; that she had no intention of sending Wally to school this week due to Plastic Man film festival on TV. Re-explanation of law and its requirements. Mrs. Doe replied with obscenities.





## Sample Case Outline

### Petition to the District Attorney

RE: Wally Doe  
D.O.B.: 12/10/93  
GRADE: 3  
SCHOOL: Bart Elementary

The student has failed grade 2 twice due to extensive absences up to date of May 31, 20\_\_. He has missed approximately 128 days of school out of 180 scheduled school days. The student was enrolled in this school by parent, Mrs. Lola Doe, September 20\_\_, on basis of proof of residency within the school district boundaries. On May 11, 20\_\_, Mr. Horace Greeley, Supervisor of Child Welfare and Attendance, contacted Mrs. Doe and explained her legal requirement to have Wally attend school. Mrs. Doe gave several excuses for Wally's nonattendance, including health reasons and his need to watch television.

During the month of May, the school made 14 contacts with Mrs. Doe over the telephone concerning Wally's nonattendance. Wally attended 2.3 days during 20 school days, for which Mrs. Doe gave various reasons for his nonattendance, including gangrene and contagious dandruff. Each inquiry included the request for doctor's verification of appointment, hospitalization, treatment, etc., but none was provided by parent. On April 27, 20\_\_, a home visit was made by Mr. Horace Greeley, Youth Services, and the School Attendance Clerk, Miss Vanessa Krumm. The late morning visit found both Mrs. Doe and Wally watching TV in their nightclothes. Mrs. Doe's demeanor during the conversations throughout the year and during the home visit was extremely hostile and abusive, with many claims that her son's nonattendance was none of the school's business and that she had no intention of "kowtowing to an abusive, authoritarian, communistic system with strong neo-Marxist leanings, just like his father."

School Attendance Clerk: Miss Vanessa Krumm

School Secretary: Mrs. Drusilla Comfort

Administrator: Mr. Michael Daniels, Principal, Bart Elementary School

Supervisor: Mr. Horace Greeley, Child Welfare and Attendance



## Suggested Bylaws for County SARB

### I. Name

The name of the organization shall be "The County School Attendance Review Board," hereinafter referred to as County SARB.

### II. Intent, Goals, and Responsibilities

#### A. Intent

The intent of County SARB is to provide intensive guidance and coordinated community services to meet the needs of pupils with school attendance or school behavior problems prior to a referral to the judicial system.

#### B. Goals

1. **Diversion** of pupils with serious attendance and behavior problems from the juvenile justice system by utilization of varied community counseling and guidance services.
2. **Prevention** of serious pupil problems by referral of pupils who are in danger of becoming truant, irregular in attendance, or disorderly to a local SARB for appropriate counseling or guidance services.

#### C. Responsibilities

The responsibilities of County SARB are set forth in *Education Code* sections 48321 and 48322; and *Welfare and Institutions Code* sections 601, 601.1, and 601.2. County SARB shall:

1. Provide for the establishment of local school attendance review boards in such number as necessary.
2. Review and pass upon the organizational structures of all SARBs.
3. Develop rules and regulations for local SARBs.
4. Accept appeals from local SARBs regarding rules, regulations, or decisions of County SARB.
5. Provide consultant services to local school attendance review boards.
6. Coordinate activities of local school attendance review boards to meet the special needs of pupils with local school attendance or behavior problems.
7. Encourage local school attendance review boards to:
  - a. Maintain a continuing inventory of community resources, including alternative educational programs.
  - b. Make recommendations for the improvement of such resources and programs.
  - c. Create new resources and programs where none exist.
  - d. Apply for and utilize available state and federal funds.

8. Approve the agency representatives of the local SARBs.
9. Conduct an annual evaluation of all local SARBs. Each local SARB shall submit a yearly report to County SARB outlining its activities. This report may include the following information:
  - a. Name of chairperson, names of SARB members, and which organization each member represents
  - b. Types and number of referrals (attendance or insubordination)
  - c. Number of students referred at each grade level, with total students referred
  - d. Disposition of and number of referrals as follows: student moved, student attending, transfer to alternative setting, student dropped out, student not attending according to agreement, student expelled
  - e. Number of cases, by grade level, referred to County SARB
  - f. Number of cases referred to the local district attorney
  - g. Dropout numbers and ratio at each level: elementary, junior high, and high school
  - h. Signed by the superintendent(s) of the local school district(s)

### **III. Procedures**

County SARB procedures must meet the legislative intent of *Education Code* sections 48321–48324 and *Welfare and Institution Code* sections 601 and 601.1.

### **IV. Membership**

County SARB must include representatives from the following groups or agencies, as set forth in *Education Code* Section 48321:

#### *A. Mandated Representatives*

1. Parent
2. School districts
3. County probation department
4. County welfare department
5. County superintendent of schools
6. Law enforcement agency
7. Community-based youth service centers
8. School guidance personnel
9. Child welfare and attendance personnel

#### *B. Other Representatives*

1. County health department
2. County mental health department
3. District attorney
4. Others (as needed)

C. *Appointing body*

1. Governing boards of school districts shall nominate school district representatives on County SARB, and the county superintendent shall appoint the district representatives.
2. The county board of education shall appoint all other persons and group representatives to County SARB.

D. *Alternate Representatives*

Designated alternate representatives shall be nominated, appointed, or approved by the same process as that of all official representatives.

E. *Tenure of Representatives*

The term of school district representatives shall be *(to be determined by County SARB)*. All other representatives shall serve at the pleasure of their nominating or appointing organization.

F. *Resignation, Removal, and Replacement*

1. Resignation from County SARB will become effective upon acceptance by County SARB *at any regular SARB meeting*.
2. Removal of a representative may be made by County SARB for failure to attend three consecutive meetings or failure to attend 50 percent of the meetings July through June of a school year.
3. Replacement of a representative, who has resigned or who has been removed, will be by the same process as that of the previous appointment to that position.

## V. Financial Obligations

A. *Financial Obligations*

*Education Code* Section 48323 describes the financial obligations of SARB:

1. Each of the mandated departments or agencies shall assign personnel to represent the department or agency on a continuing basis.
2. The related costs are considered a part of the normal operating procedures.
3. The minor costs of incurred service shall be borne by each agency or department.

B. *Funding Sources*

1. County SARB is encouraged to apply for and utilize state or federal funds as may be available.

## VI. Officers

A. *Personnel*

The chairperson shall be an elected officer. A vice chair and secretary may be appointed to assist the chairperson.

B. *Election*

The chairperson shall be elected annually or biannually prior to July 1.

*C. Duties*

The chairperson shall be responsible for coordinating all services of County SARB. In addition, the chairperson shall:

1. Preside at all meetings.
2. Arrange for necessary secretarial help.
3. With approval of the board, appoint other committee chairpersons as needed.
4. Notify the appointing or nominating agency when its representative's term is about to expire or when the representative has resigned or has been removed.
5. Prepare the annual report for county superintendent of schools.

*D. Absence of Chairperson*

In the absence of the chairperson, members present shall elect by a simple majority vote a temporary chairperson to preside over that meeting.

*E. Vacancies*

Vacancy of a chairperson may be filled by a simple majority vote of those present at the board meeting.

## **VII. Committees**

The responsibilities of each committee shall be on a continuing basis and shall be created or dissolved as needed by the chairperson with the approval of County SARB.

*A. Committees*

The following committees may be appointed:

1. Community Resources and Programs

County SARB Community Resources and Programs Committee shall assist the local SARBs in:

- a. Maintaining a continuing inventory of community resources and alternative educational programs
- b. Making recommendations for the improvement of such resources and programs
- c. Assisting in the creation of new resources and programs where none exist

2. Public Relations

The Public Relations Committee shall:

- a. Plan a program of action to promote understanding and acceptance of SARB by all youth-serving agencies and the community.
- b. Utilize all available news media resources to accomplish this purpose.

3. Evaluation

- a. County SARB shall make an annual self-evaluation.
- b. County SARB shall conduct an annual evaluation of all local SARBs.

4. Other Committees as Needed

## **VIII. Meetings**

### *A. Regular Meetings*

Regular meetings shall be held at a time and place to be specified. Notice of the meeting will be given by the chairperson seven (7) calendar days prior to the meeting.

### *B. Special Meetings*

Special meetings may be called at the discretion of the chairperson. Notice of the meeting shall be given at least 24 hours prior to such meeting.

### *C. Quorum*

A simple majority shall constitute a quorum at any meeting of County SARB.

### *D. Voting*

1. On matters of adding or deleting from policies or amendments to the bylaws, the vote must be a simple majority of the total SARB voting membership.
2. In other matters, the vote may be by a simple majority of the members present.

## **IX. Fiscal Policies**

The fiscal year shall be from July 1 through June 30.

## **X. Amendments and Parliamentary Authority**

### *A. Amendments*

The bylaws may be amended by a simple majority vote of the total SARB voting membership. The proposed amendments will be presented for discussion at the regular meeting. Voting will take place at the following regular SARB meeting.

### *B. Rules of Order*

Robert's Rules of Order, Newly Revised, shall be the parliamentary authority for all matters of procedure not specifically covered by the bylaws or by specific rules of procedure adopted by County SARB.

Adopted by County School Attendance Review Board (date)

## **Suggested Standing Rules for County SARB**

### **I. Standing Rules**

Standing rules are interpretations and implementations of the bylaws, and they are adopted by a simple majority vote of County SARB membership.

## **II. Obligations of Representatives**

### *A. Meetings*

1. All representatives are expected to attend all regular and special meetings.
2. Representatives who must be absent from meetings shall notify the chairperson and/or the designated alternate prior to the meeting time.

### *B. Resignation*

If a representative finds it impossible to attend SARB meetings regularly, he/she shall submit his/her resignation in writing to the chairperson.

## **III. Committees**

### *A. Public Relations*

All publicity, news, or information concerning County SARB shall be under the jurisdiction of the elected chairperson or public relations chairperson.

### *B. Committees as necessary to conduct the business of SARB.*

## **IV. Meetings**

### *A. Number of Meetings*

County SARB shall schedule as many meetings as are necessary to fulfill its legal responsibilities.

### *B. Location of Meetings*

County SARB meetings shall be held in locations most convenient for representatives.

Adopted by County School Attendance Review Board (date)

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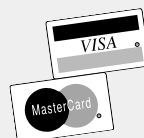
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